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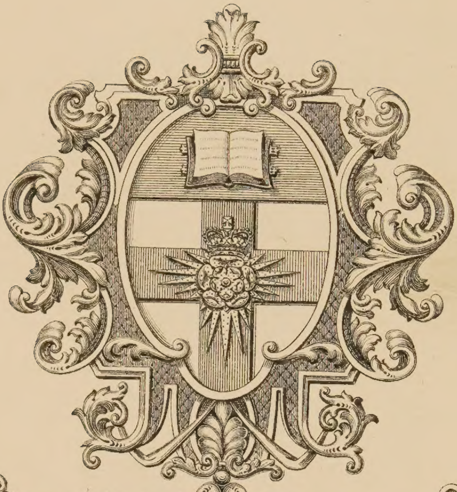

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HANSARD'S
PARLIAMENTARY
DEBATES:

FORMING A CONTINUATION OF
"THE PARLIAMENTARY HISTORY OF ENGLAND,
FROM THE EARLIEST PERIOD TO THE
YEAR 1803."

Third Series;

COMMENCING WITH THE ACCESSION OF
WILLIAM IV.

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COMPRISING THE PERIOD FROM
THE TWENTY-FOURTH DAY OF MAY,
TO
THE THIRD DAY OF JULY, 1832.

Fifth Volume of the Session.

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1833.

TABLE OF CONTENTS

TO

VOLUME XIII,

THIRD SERIES.

I. SUBJECTS OF DEBATE IN THE HOUSE OF LORDS.
II. SUBJECTS OF DEBATE IN THE HOUSE OF COMMONS.
III. ADDRESSES.
IV. LISTS OF DIVISIONS IN BOTH HOUSES.
V. PROTESTS.

◆

I. SUBJECTS OF DEBATE IN THE HOUSE OF LORDS.

1832. Page
May 24. MINISTERIAL Plan of Education (Ireland)—Petitions .. 1
Slavery in the Colonies—Petitions—Conduct of the Committee appointed to inquire into the Subject .. 6
Parliamentary Reform—Bill for England—Committee—Fifth Day—Twenty-fourth Clause—Lord Wharncliffe's Amendment to exclude all Persons from Voting for Counties in respect of Property situated in Boroughs—Divisions, Lists, &c. 19

25. Newcastle Reform Meeting—Intemperate Language used at it—Questions by the Marquess of Londonderry 98
Parliamentary Reform—Bill for England—Committee—Sixth Day—10*l.* Clause—Amendment proposed by Lord Wharncliffe—Clauses, to the Eightieth, agreed to 111

30. Borough of Amersham—Petition—Motion that the Petitioners be heard at the Bar 178
Explanation of the Earl of Munster 180
Parliamentary Reform—Bill for England—Committee—Seventh Day—Schedules A and B—Bill to be reported .. 181

June 1. Tithes (Ireland)—Petition 278
Ministerial Plan of Education (Ireland)—Petitions .. 278
Duties of Yeomanry—Question by Earl Wicklow as to the Duty of Yeomanry to obey the Magistrates 279

1832.		Page
	St. Mawes—Influence of Peers—The Duke of Buckingham	284
	Colonial Slavery—Petitions	285
	Parliamentary Reform—Bill for England—Report brought up and received—Amendments, Protest, &c.	286
	Vacation of Seats—Notice of a Motion by the Marquess of Northampton	291
June 4.	Ministerial Plan of Education (Ireland) Petitions ..	342
	Tithes (Ireland)—Question by the Duke of Buckingham	348
	Parliamentary Reform—Bill for England—Third Reading—Division and Protests	349
5.	Gravesend Pier Bill—Motion to reconsider the Report of the Committee—Complaints of the Conduct of the Committee, and Explanations	399
	Bribery at Elections—Bill Proposed by Lord Wynford—Read a First Time	402
	Exchequer Court (Scotland)—Committee on the Bill postponed	403
8.	Sentence of Death Bill—Committee—Amendment to preserve the Prerogative of the Crown	543
	Court of Exchequer (Scotland) Bill—Committee deferred ..	545
14.	Church Property—Petition	608
	Norfolk Assizes Removal Bill—Read a Second Time ..	610
	Seats in Parliament Bill—Motion for the Second Reading—Postponed	611
15.	Political Unions—Question by the Marquess of Londonderry	728
	Court of Exchequer (Scotland) Bill—Committed ..	733
18.	Tithes (Ireland) Petition	761
	Court of Exchequer (Scotland) Bill—Read a Third Time	762
19.	Schools of Anatomy—Bill read a Second Time—Division, &c.	822
20.	Magistrates of Nottinghamshire—Complaint that they have been traduced by the Press	897
	Attack on his Majesty at Ascot Heath Races—Motion for an Address to his Majesty, and for a Conference with the Commons	900
21.	State of Ireland—Postponement of the Earl of Roden's Motion on the Subject	944
25.	Punishment of Death—Petition—Bill committed—Amendments, &c.	982
27.	Attack on the King—Answer to the Address	992
28.	Tithes (Ireland)—Second Report of the Committee laid on the Table—Question when the Measures recommended in it were to be submitted to Parliament	1080
	Russian Dutch Loan—Convention with Russia laid on the Table—Question as to the Production of the Additional Article	1084

1832. Page
Parliamentary Reform—Bill for Scotland—First Reading 1085
Schools of Anatomy—Petition against the Bill 1085
Vacation of Seats in Parliament—Bill postponed *sine die* 1086

June 29. Disturbances in the Collieries—Petition—Complaints of the Conduct of the Work People in the Neighbourhood of Sunderland and Shields 1152

July 2. Slavery in the Colonies—Petition 1180
Ministerial Plan of Education (Ireland)—Petition—Its Advantages and Success 1182
State of Ireland—The Earl of Roden's Motion for an Address to his Majesty, to take into Consideration the Afflicted State of his Protestant Subjects in Ireland 1189

3. Foreign Relations—Questions by the Marquess of Londonderry 1264
Gravesend Pier Bill—Report of the Committee—Conduct of Private Committees 1268
Ministerial Plan of Education (Ireland)—Petition—Conduct of the Solicitor General of Scotland in inducing the General Assembly of Scotland to agree to the Petition .. 1271
Division of Counties and Boundaries Bill—Committee—Motion to refer the Bill to a Select Committee 1290

II. SUBJECTS OF DEBATE IN THE HOUSE OF COMMONS.

May 24. Slavery in the Colonies—Petitions—Mr. Fowell Buxton's Motion to appoint a Committee to consider Measures for the purpose of effecting the Extinction of Slavery—Amendment—Divisions, &c. 34

25. Breach of Privilege—Case of the *Evening Mail*—Complaint by Mr. Stanley 117
Governorship of Madras—Question by Mr. Labouchere—Salary of the Governor 118
Parliamentary Reform—Bill for Ireland—Second Reading—Amendment—Division, &c. 119

30. Distress in the West Indies—Petitions—Case of the Crown Colonies in particular—Mortality in the Colonies .. 190
Breach of Privilege—Case of the *Evening Mail*—Mr. Sheehan, the Proprietor of that Paper, ordered to attend at the Bar.. 193
Abolition of Capital Punishments—Bill for doing that in certain Cases—Committed 195
King's County Assizes—Bill to remove the Place for holding them—Committed 209
Exchequer Courts (Scotland)—Bill to abolish the Court committed—Amendments, &c. 210
Privilege of Parliament—Bill (Mr. Baring's) read a Second Time 227

31. Ministerial Plan of Education (Ireland)—Petitions .. 228

1832. Page

Breach of Privilege—Case of the *Evening Mail*—Mr. Sheehan called to the Bar, examined, and committed to the Custody of the Serjeant at Arms 230
State of the Drama—Mr. E. Lytton Bulwer's Motion for a Committee to inquire into the State of the Drama .. 239
Sale of Beer Act—Mr. Trevor's Motion for Leave to bring in a Bill to amend the Act—Lost 259
State of Ireland—Motion to appoint a Committee to inquire into the State of Queen's County—Committee appointed 262

June 1. Reform—Stopping the Supplies—Petition from Dublin .. 293
Corporations of Londonderry and Dublin—Petition—Complaints against those Corporations for improperly using Property 294
Reform—Glasgow and Edinburgh Petitions—Explanations as to the Conduct of the Edinburgh Meeting .. 297
Corn Laws—Question by Mr. Hume—Explanation of Lord Milton's Intentions 300
Interference in the Affairs of Portugal—Questions by Sir Robert Peel and Sir Richard Vyvyan 307
Tonnage Duties in France—Question by Mr. Robinson .. 309
Breach of Privilege—Case of the *Dublin Evening Mail*—Officers of the House of Commons examined—Mr. Sheehan admonished and discharged 310
Parliamentary Reform—Bill for Scotland—Committee— Motion to give Additional Representatives to the Counties—Division, &c. 321

4. Edinburgh Police Bill 380
Banking System—Question by Mr. Littleton 380
Boundaries of Boroughs—Petitions from Arundel—Complaint against uniting Little Hampton with Arundel .. 381
Charges of the Civil Government—Question by Mr. Goulburn as to when they are to be settled and provided for .. 384
Municipal Police—Question by Sir Robert Peel—Intention of Ministers as to establishing a General System of Police for Towns 386
Colonial Policy—Orders in Council—Questions by Mr. Irving 387
Russian Dutch Loan—Greece—Questions by Mr. Baring .. 388
Parliamentary Reform—Bill for Scotland—Committee—Second Day—Qualification—Superiorities—Intercalated Discussion on receiving the Reform of Parliament (England) Bill from the Lords—Several Clauses agreed to 390
Parliamentary Reform—Bill for England—Returned from the Lords 397
Norfolk Assizes Bill—Read a Third Time 398

5. Ministerial Plan of Education (Ireland)—Petitions .. 404
Parliamentary Reform—Bill for England—Lords' Amendments taken into Consideration and agreed to—Debate as to the Means by which the Bill had been passed 407
Parliamentary Reform—Bill for Scotland—Committee—Third Day—Clauses, with the exception of the Thirteenth and Fourteenth, to the Twenty-second, agreed to .. 462

1832. Page
June 6. Parliamentary Reform (Ireland)—Petitions 463
Court of Chancery—Questions by Mr. Campbell—Progress of the Measures intended to Reform that Court .. 466
Court of Chancery (Ireland) Bill—Motion to read the Bill a Second Time, and Bill withdrawn 468
Privileges of Parliament Bill—Motion to go into a Committee —Bill committed *pro forma*—Amendment and Division 468
Parliamentary Reform—Bill for Scotland—Committee—Fourth Day—Clauses, to the Thirty-seventh, agreed to—Motion to amend the Thirty-seventh Clause, relative to Clergymen —Division, &c. 476

7. Revision of Sentences—Petition complaining of the Power exercised by the Privy Council to revise Sentences .. 497
Factories Bill—Petitions—Progress of the Select Committee for Inquiring into the Subject 500
South Sea Islands—Defective Jurisdiction, and Bill to amend it 505
Newfoundland—Bill to give a Legislative Body in Newfoundland the Power to appropriate the Revenues .. 506
New Zealand—Question as to appointing a Resident in that Island 507
Borough Offices—Motion for Returns of Borough Offices held by Peers or Sons of Peers—Motion withdrawn .. 508
Alienation of Colonial Crown Lands—Motion for a Committee to inquire into this Subject—Motion withdrawn .. 509
Division of Counties and Boundaries Bill—Committee .. 512

8. Ministerial Plan of Education (Ireland)—Petition from the General Assembly of the Church of Scotland .. 548
Duchy of Cornwall—Question relative to its Revenues by Colonel Evans 554
Division of Counties and Boundaries Bill—Committee—Discussion on the Borough of Arundel—This Question referred to a Select Committee 555
Fines and Recoveries Bill—Committed 560
Dower Bill—Committee thereupon 561

13. Parliamentary Reform—Bill for Ireland—Committee—Petition relative to Dungarvon—Complaint of proceeding before sufficient Information was laid before the House—Motions to re-establish the Franchise of the 40*s*. Freeholders in Fee, to enfranchise Freeholders of 4*l*., and to restrict the University of Dublin to one Member 562
14 Murder at South Shields—Question by Mr. Beaumont .. 618
Taxes on Knowledge—Mr. Edward Lytton Bulwer's Motion to agree to certain Resolutions for the Repeal of those Taxes—Motion withdrawn 619
Inns of Court—Case of Mr. D. W. Harvey—Motion for Leave to bring in a Bill to enable the Court of King's Bench to Compel the Benchers of Inns of Court to admit Students in certain Cases—Division, &c. 648
Bribery at Elections—Motion for Leave to bring in a Bill .. 714
Claims on the Princes of India—Motion by Sir John Malcolm for Papers—Withdrawn 715

1832. Page

Party Processions (Ireland)—Motion by Mr. Stanley for Leave to bring in a Bill—Leave given 717

June 15. Conduct of Police Magistrates—Case of Catherine Murphy, at Hatton Garden 737

Parliamentary Reform—Bill for Scotland—Committee—Fifth Day—Proposals not to diminish Perth—to separate Nairn from Elgin—to unite Port Glasgow to Greenock—Stonehaven to Inverbervie—and Kilmarnock to Ayr—Division .. 741

Customs' Duties Acts—Committee—Schedules of New Duties proposed 754

18. Reform (Ireland)—Petitions 763

Parliamentary Reform—Bill for Ireland—Committee—Second Day—Proposal to extend the Franchise to Freeholders of *5l.*—Personal Disputes—Amendment to give the Franchise to Leaseholders of 30*l.* for Nineteen Years 769

Juries (India) Bill—Read a Third Time 819

19. Ministerial Plan of Education (Ireland)—Petition 829

Party Processions (Ireland)—Petition 830

Poor Laws (Ireland)—Mr. Sadler's Motion to declare that it is Expedient to establish a permanent Provision for the destitute and suffering Poor of Ireland—Division, &c. 831

Flogging in the Army—Mr. Hunt's Motion for an Address to the Crown to discontinue it for one Year 874

20. Breach of Privilege—*The Times*—Complaint made by Mr. O'Connell that he had been made to calumniate himself—Inaccuracy of the Newspaper Reports 905

Coroners' Bill—Interruption—Complaint of passing certain Law Bills 909

Attack on his Majesty at Ascot Heath—Motion for an Address to His Majesty—Conference with the Lords—Political Excitement in the Country—Attack on the Duke of Wellington 909

Coroners' Bill—Resumed Committee—Motion to compel all Coroners to have a Certificate of having attended two Courses of Lectures on Medical Jurisprudence—Division—Motion to make the Coroner's Court an open Court—Division—Discussion on the Suicide of Sellis 921

Births Registration Bill—Recommittal deferred 938

22. Counting out the House—Complaint that this had been unhandsomely and unusually done on the 21st 949

Forgery—Petition 950

Breach of Privilege—Case of *The Times*—Excuse for the Paper 951

Breach of Privilege—Case of the *Morning Chronicle*—Complaint by Sir Henry Parnell on behalf of the Committee to inquire into the Disturbances in the Queen's County .. 952

Prison Discipline—Nottingham Gaol—Petition—Complaint of the Nottingham Magistrates 953

Reports of the Proceedings in Parliament—Misrepresentations of *The Times*—Testimony to the Fidelity of *Hansard's* Reports 960

1832, Page
Division of Counties and Boundaries of Boroughs—Third Reading of the Bill—Amendments to substitute Wootton-under-Edge for Thornbury—To alter the Boundaries of Whitehaven, Stamford, Bristol, &c.—Divisions—Bill read a Third Time 961
Reform Bill (Scotland)—Report—Addition of Qualification Clauses 982

June 25. Privileges—The Journals of the House—Motion to produce the Journals in a Court of Justice, to substantiate the Averment of an Indictment—Withdrawn 1001
Parliamentary Reform—Bill for Ireland—Committee—Third Day—Amendment proposed by the Government to reduce the term of holding Leases of 10*l.* to Twenty Years—Amendment proposed to limit the Voters in Towns to those having a Beneficial Interest in the House above 10*l.* 1010
Party Processions (Ireland)—Motion to Commit the Bill—Motion to postpone the Committee for six months—Division—Bill Committed 1023

27. Attack on His Majesty—Answer to the Address 1052
Durham University—Report—Third Reading Postponed .. 1053
Reform Bill (Ireland)—Petitions 1054
Factories Bill—Petitions 1054
Parliamentary Reform—Bill for Scotland—Third Reading—Qualification Clause withdrawn — Various Amendments proposed—Bill passed 1057
Privileges of Parliament Bill—Committee—Division, &c. .. 1069

28. Case of the Boy Scott—Cruel Treatment—Conduct of Magistrates 1087
Colony of New South Wales—Mr. Henry Lytton Bulwer's Motion for an Address to His Majesty, to give that Colony a Legislative Assembly—Division 1089
Poland—Petitions—Motion by Mr. Cutlar Fergusson for Papers relative to the destruction of the Constitution of Poland .. 1115

29. Tithes (Ireland)—Call of the House—Objection to such a Proceeding 1159
Party Processions (Ireland)—Announcement that the Government means to abandon the Bill 1162
Parliamentary Reform—Bill for Ireland—Committee—Fourth Day—Amendments to remove the necessity for the payments of Taxes and Cesses—Division—Amendment to prevent 40*s.* Freeholders in Counties of Towns from Voting for the Counties, &c. 1167
Loan to the West-India Colonists—Motion to advance them One Million Sterling in Exchequer Bills 1172
Supply—Navy Estimates—Objections to the appointment of Captain Symmonds as Surveyor of the Navy 1178

July 2. Russian-Dutch Loan—Question by Mr. Herries 1238
The Budget—Question by Mr. Herries 1239
Salaries of the Lord Privy Seal and the Postmaster General—Questions by Mr. Dawson 1241

1832. *Page*

Produce of Slave Labour—Motion for Returns—Different Quantities of Colonial Produce obtained by Slave and Free Labour 1242

Supply—Ordnance Estimates—Barracks in the Bird-cage Walk 1247

Parliamentary Reform—Bill for Ireland—Committee—Fifth Day—Amendment to have a Graduated Franchise for Towns in proportion to the number of their Inhabitants—Amendment to preserve the Rights of Freemen—Division, &c. .. 1257

III. ADDRESSES.

To His Majesty, upon the Attack made on His Majesty at Ascot Heath by the Lords .. .. 900—992

By the Commons .. .. .. 909—1052

IV. LISTS OF DIVISIONS.

May 24. Not Contents on Lord Wharncliff's Motion to exclude all Persons from Voting for Counties by right of any Property that gives a right to Vote for Boroughs 31

Contents on the same Motion 33

24. The Noes on Lord Althorp's Amendment to Mr. Fowell Buxton's Motion to appoint a Committee to inquire into the means of Abolishing Slavery 97

25. The Ayes on the Question that the Reform of Parliament (Ireland) Bill be Read a Second Time 175

The Noes on the same Question 177

June 1. The Noes on Sir George Murray's Amendment to the Third Clause of the Parliamentary Reform (Scotland) Bill .. 340

4. The Not Contents on the Motion for the Third Reading of the Reform of Parliament (England) Bill 373

15. The Noes on Sir George Murray's Motion that the County of Perth be not Dismembered 747

18. The Ayes on Mr. O'Connell's Motion to give the Franchise under the Reform of Parliament (Ireland) Bill to those who had Freeholds of 5*l*. 804

Ayes on Mr. Mullins's Amendment on the same Bill to give Votes to those who held Leases for nineteen years of not less than 30*l*. 818

19. The Ayes on Mr. Sadler's Motion to declare that Poor Laws ought to be introduced into Ireland 873

20. The Ayes on Mr. Hunt's Motion for an Address to the Crown to suspend the Punishment of Flogging in the Army for one Year 897

1832. Page
The Ayes on Mr. Hume's Motion that Coroners should attend Lectures on Medical Jurisprudence 925
The Ayes on Mr. Warburton's Motion on the Coroners' Bill, that all Inquests should be publicly held 932

June 22. The Ayes on Mr. Tennyson's Motion to exclude the Parish of St. Martin's from the Borough of Stamford 978
The Ayes on Mr. Lefroy's Motion to postpone the Committee on the Party Processions (Ireland) Bill for Six Months .. 1051

27. Part of the Ayes on the Motion for Reading the Order of the Day for the House to go into a Committee on the Privileges of Parliament Bill 1079
The Ayes on Mr. Sheil's Motion, in Committee on the Reform Bill (Ireland), to remove the necessity of persons paying Municipal Taxes as a condition of Voting 1169

July 2. The Not Contents on Earl Roden's Motion for an Address to His Majesty to protect the Protestants of Ireland .. 1236
Contents on the same Motion 1237
The Ayes on Mr. Rigby Wason's Amendment in Committee of Supply, to reduce the Vote for Barracks 10,000*l*. .. 1255
The Ayes on Mr. Shaw's Amendment in a Committee on the Reform of Parliament (Ireland) Bill, to preserve the Rights of Freemen 1263

V. Protests.

June 1. By the Earl of Carnarvon, against receiving the Report on the Reform of Parliament (England) Bill 292

4. By the Earl of Mansfield, against the Third Reading of the Reform of Parliament (England) Bill 373
First Protest of Lord Melrose on the same Question .. 376
Second Protest 377
By Lord Wynford on the same Question 378

HANSARD'S
Parliamentary Debates

During the SECOND SESSION *of the* TENTH PARLIAMENT *of*
the United Kingdom of GREAT BRITAIN *and* IRELAND,
appointed to meet at Westminster,
6th December, 1831,
in the Second Year of the Reign of His Majesty
WILLIAM THE FOURTH.

Fifth Volume of the Session.

HOUSE OF LORDS,
Thursday, May 24, 1832.

MINUTES.] Bill. Read a third time:—Arrears of Tithes (Ireland.)

Petitions presented. By the Earl of ELDON, from the Non-Resident Freemen of Oxford, for the Preservation of their Franchise.—By the Earl of HAREWOOD, from the Commissioners of Supply, Freeholders, &c. of Rosshire, for Relief to the West-India Interest.—By the Earl of WINCHILSEA, from the Moderator and Synod of Banf,—against the Ministerial Plan of Education (Ireland.)—By Lord KING, from Kilready, and three other Places,—against Tithes (Ireland); and from the Members of the Political Dublin Union, against the Anatomy Bill.

MINISTERIAL PLAN OF EDUCATION (IRELAND).] The Bishop of *Bristol* presented a Petition, agreed to at a meeting of the Inhabitants of Bristol and its vicinity, and signed by 9,000 persons, against the Ministerial System of Education (Ireland). The petitioners deprecated any system of education in schools, from which the Word of God was proscribed, and stated, that under the old system, the number of children educated had increased, since 1812, from 50,000 to 300,000. The petitioners deprecated the bestowing of parliamentary grants for teaching the exclusive doctrines of the Roman Catholic religion.

The Earl of *Radnor* did not wish to provoke any debate on the subject, as a matter of so much importance (the Reform Bill) was to come under consideration; but he hoped that it would not be understood that, by passing over the subject in silence, he admitted the statements in these petitions to be correct. He certainly did not admit the statements to be correct.

The Earl of *Roden* could not allow that assertion to pass without contradiction. He believed the statements in the petition to be founded in fact, and maintained that that was an infamous system of education from which the unmutilated Word of God was excluded. A noble Baron (King) had asserted, that the opposition to the new system of education arose from a conspiracy of saints to trip up the Government; and said, that that expectation being hopeless, they would not have many more of these petitions. But several more petitions had come, and he himself should have several to present. Another noble Lord (Suffield) had said, that the opposition proceeded merely on factious grounds. But he maintained that it proceeded from the great body of the Protestants of England, Ireland, and Scotland. It was a subject of the highest interest to all Protestants, and he hoped that their zeal would not be diminished.

The Earl of *Winchilsea* had presented and supported several petitions of this nature, and he must deny that he acted from factious motives: he was well assured that the statements in the petition were well founded. The number of children educated under the old system had, he believed, been much understated in the petition. The number had, in fact, increased to 450,000. He trusted an opportunity would yet be afforded to discuss the subject.

The Earl of *Radnor* wished to know if the noble Lords opposite would support the truth of this allegation in the petition—"that the Society were engaged in teaching in the schools of Ireland the peculiar doctrines of the Church of Rome?" There certainly was no such provision in the new system.

The Earl of *Winchilsea* said, that the allegation was made out in this manner. According to the Church of England, the Bible, whole and unlimited, was to be read in the schools; but, according to the Roman Catholic discipline, extracts, with accompanying commentaries only, were permitted; and as the Society made use of selections of the Scriptures, and not the whole work, the petition was justified in stating "that the peculiar doctrines of the Church of Rome" were enforced in the schools.

Lord *King* said, he had characterized the opposition on this subject as an outcry against the Government, and a part of the great plot which had been formed to overthrow the present Administration, and he had assumed, that as the plot had failed, there would be no more of these useless effusions. He was still of the same opinion; and he believed that the sense of the country was not opposed to the plans of his Majesty's Government for improving the education of the people of Ireland.

Lord *Wynford* said, that the regulation of the schools, by which some of the children were compelled to go to mass, was an encouragement of the Roman Catholic religion.

The Marquess of *Lansdown* said, that, in his opinion, no objection could be taken to a regulation by which the children of each religion were obliged to attend their respective places of worship. The same regulation existed in the army, and surely noble Lords would not maintain that our military orders were intended to foster the Catholic religion.

The Duke of *Richmond* explained, that when the order was first made in the army, permitting Roman Catholic soldiers to go to mass, the great majority of every regiment asserted they were Catholics, in order to escape attendance on the Sunday parade preparatory to church; but that was soon put an end to, by an order directing that the Roman Catholics should be marched to their chapels with the same forms of discipline that the Protestants were marched to church. The soldiers of each religion soon fell into their respective ranks. So it was only proposed by the present system that the children should go to their own churches, and, if they did not, they would go to no church at all, which was, perhaps, what the noble Lords on the other side wanted.

The Earl of *Malmesbury* thought, that under the present circumstances, the best plan would be, to abstain from making any parliamentary grant at all for the purpose of education in Ireland, and leave the different parties to educate their children in their own way and at their own expense.

The Marquess of *Londonderry* denied that the petitions of the Protestants were useless effusions; and he thought, that the noble Baron opposite should pay the same respect to petitions presented from the Opposition side of the House as he claimed for those offered by his friends.

Lord *Ellenborough* observed, that certificates were required from the clergymen and the priests as to the attendance of the children at the churches and chapels. He wished to know whether this regulation had been enforced, and whether a certificate of attendance at church or mass was still required, and if the children were dismissed who did not produce it?

The Duke of *Leinster* stated, that it had been found impossible to enforce it, as neither the Protestant clergy nor the priests could ascertain with any degree of accuracy whether the children attended or not.

Lord *Ellenborough* said, certainly the noble Duke's answer was not to be expected from Mr. Stanley's letter, and it proved that there was no religious education at all.

The Marquess of *Lansdown* said, that the Protestant clergy were authorised and invited to attend the schools, and to instruct the children in religion out of school hours, and he presumed, that the Protestant clergy would do their duty.

Lord *Suffield* admitted, that there were noble Lords on the other side who did not act from factious motives, but, at the same time, he was convinced that factious motives did exist in many quarters where the new system of education was most strenuously opposed. He had been informed, that under the old system, Protestant clergymen attended during school hours, and attempted to make proselytes among the Roman Catholic children. If that was true, it must have been a great cause of irritation. The noble Lords opposite appeared to claim a monopoly of loyalty, attachment to the Constitution, and of religious feeling; but he did not concede to them that monopoly, for he claimed for himself a full share of loyalty, patriotism, and attachment to religion.

Lord *Carberry* said, that it was quite a mistake to suppose that in the schools of the Kildare-street Society Protestant clergymen attended at school hours and attempted to make proselytes. The Protestant clergy had too much sense to act in that manner.

The Bishop of *Exeter* said, that the allegation in the petition, " that the peculiar tenets of the Church of Rome were taught by the Society," in his opinion, was fully established. The schools were open to the teaching of the Roman Catholic clergy two days in the week, and on those two days they could and did teach their own tenets.

The Marquess of *Downshire* considered this system as merely an experiment, and it was on that account only that he supported it; and he sincerely wished that it might be attended with the expected advantages. As President of the Kildare-street Society, he must take that opportunity of defending that Society from the charge of encouraging Protestant clergymen to make proselytes of the Roman Catholic children.

Petition laid on the Table.

The Earl of *Roden* then presented two other Petitions in favour of the Kildare-street Association, and their system of education, from Glasgow, and from Dumfries.

The Marquess of *Lansdown* said, that both in Glasgow and Edinburgh the feeling was strongly in favour of the system of education adopted by the Government. As a proof of it, a meeting was got up by the Principal of the College at Glasgow, to pass resolutions against the plan, and the motion of the reverend Doctor was negatived by an immense majority. A similar attempt had been made at Edinburgh, and the result was equally in favour of the Ministerial plan. Indeed, he had no hesitation in saying, that the great majority of the educated classes of society were in favour of the measure.

The Earl of *Minto* said, the general feeling of the people of Scotland was decidedly in favour of the new plan. They looked upon education as one of the surest means of leading to a religious and moral life, and thought that it was advisable to yield a little to certain prejudices, for the purpose of obtaining a great good. In that part of the country from which he came, the feeling was strongly in favour of it. As a proof, an influential clergyman intimated his intention of moving resolutions in the Synod of Merse and Tiviotdale against the system; but, on finding that another clergyman meant to move counter resolutions, he abandoned his intention, because he was sure of being defeated.

Petition laid on the Table.

SLAVERY IN THE COLONIES.] The Lord Chancellor presented a Petition, signed by 135,000 persons, resident in and about London, praying for the Abolition of Slavery at the earliest period compatible with judicial restraint. The petition was got up about a month ago, and, in addition to the prayer which he had read, deprecated any delay likely to ensue from the Committee appointed to inquire on the subject.

The Earl of *Harewood* said, the Committee had been appointed for the purpose of obtaining information, and setting the mind of the public right on the subject. He could not listen to the imputations conveyed in the petition against the Committee without saying so much. He was against any hasty and indiscreet emancipation, because he knew it would be productive of great evils; but, at the same time, he was anxious to improve the condition of the slave, and extremely anxious to satisfy the public that the planters, if the public would have a little patience, were anxious to assist in the amelioration of the lot of their own slaves.

The Earl of *Suffield* said, the petition was one of the longest ever presented, and would cover half a mile on their Lordships' table. He had twenty-one petitions on the same subject to present, some of them signed by 6,000 persons: the places from which they came were, for the most part, of much consideration and importance. It was not then his intention, upon the presentation of a petition, to enter into the question of slavery, or to make what was called an anti-slavery speech: his object was, very briefly and shortly, to state his own individual notion of slavery. In the first place, he considered it to be most impolitic, because it was unproductive to those engaged in it. If it did produce profit he should say, that it was unjustifiable, insomuch as that profit would be derived from a moral wrong; and, being a moral wrong, it was a crime; and, in the sight of Heaven, a sin—a foul stain and blot upon the national character; to put an end to which, as soon as possible, every individual of their Lordships' body, and every person throughout the kingdom, was called upon by his duty to God and his country to exert himself to the utmost. These were the reasons which had led him to protest against the appointment of a Committee to inquire into the state of the West Indies—it was the entertainment of those sentiments which had induced him to raise his single voice against such a proceeding. In the year 1832—after all the numerous statements, and all the voluminous evidence which had been collected upon this important subject, and when half England was expecting slavery to be abolished, that House appointed a Committee to inquire into the state of slavery in the West Indies. Out of doors that Committee was almost universally considered as throwing, on the part of the West-Indian proprietors, a still further stain and reproach over the aggravated horrors of this question. That was the opinion of the greater part, if not of all the petitioners, who now addressed that House on the subject. As an authority for that statement, he would read an extract from one of these petitions;—'That 'your petitioners, for the several reasons 'herein set forth, most respectfully, but 'firmly and solemnly, protest against any 'further inquiry; and they deprecate any 'further delay, under pretext of inquiry, 'into the state of the slaves.' By the word "pretext" it was quite clear what was the opinion of these individuals upon the appointment of the Committee; they considered it a mere pretext for concealing truth. It was not his intention to offend their Lordships, but he was then not only speaking his own opinions, but he was stating facts. How was this Committee appointed, and by whom? By a noble Earl, undoubtedly a most amiable and honourable man, but one who happened to be a West-India proprietor. A great many on the list were similarly situated. He would likewise refer to the minutes of the Committee; they were not before the House, but he spoke in the presence of those who were members as well as himself, and he would ask what witnesses had been yet examined? And, with the exception of a few questions which he had put to the Duke of Manchester, who had been the principal examiners? In fact, the case stood thus before the public:—A West-Indian proprietor moved the appointment of a Committee; West-India proprietors formed a large portion of its members; they selected the witnesses, they were the principal examiners; and, finally, they were to pronounce judgment in their report upon the evidence adduced in their own cause. What would the opinion of the public be of a Committee so framed and so conducted? That their proceedings would not add anything to the public information—

Lord *Ellenborough* rose to order. It was always in the power of a Committee to select what portion of the evidence given before them they might please, for the purpose of laying it before the House; and if any Member should wish the whole of the evidence to be brought before the House, he could only do so on a specific motion. Such was the rule which had always regulated the practice of the House ever since he had been a Member of it, in cases of a noble Lord's coming forward, without having given notice of a motion beforehand, and questioning the conduct of one of their Lordships' Committees. With regard to the Committee itself, it did so happen that, except on the first occasion of their meeting, it had been impossible for him to attend; but knowing of whom that Committee was composed, he felt—and he was sure that the House and the country would feel with him—the most perfect confidence that their proceedings would be strictly just and impartial. There never could be a more gross act of injustice committed than the appointment of a Committee, from whose members were excluded men practically and intimately acquainted with the subject to be inquired into; and he would put it to the noble Lord whether, if that plan had been followed in this instance, the appointment of a Committee to inquire into the state of the West Indian Colonies would, in the present excitement, have been likely to lead to the results desired, both by the noble Earl who moved it, and the members of the Government who acquiesced in that motion.

Lord *Suffield* would ever bow with the utmost pleasure to the wishes of the

House; and if, in any of his statements or arguments, he had acted in the slightest degree disorderly, he would most readily drop that part of the subject. If, by saying so much on the subject of that Committee, he had acted at all contrary to the Orders of the House, he was sorry for it: for all of the noble Lords composing that Committee, who were West-India proprietors, he felt the very highest esteem; they had his entire respect; and he was quite sure that they were as incapable of doing an act of injustice, and, therefore, of acting dishonourably, as he hoped he was himself; and he must have been greatly misunderstood if thought to imply anything against them. It had been suggested to him to name others to be added to the Committee, and no doubt, if he were to do so, names would be added; but he did not think that this Committee could be very much improved by the addition of any persons in that House. In considering this subject, he must beg that he might not be interrupted; for, on one of such great importance, he was determined to be heard. When it was recollected how blind to the interests and deaf to the entreaties of their fellow-countrymen—their next-door neighbours—this assembly had been, the public could not think it very astonishing that, in such an assembly, it should be difficult to find persons of his opinions on slavery, on which question he did declare that House to be grossly ignorant. There were many Members of it who, from the knowledge which he had of their private character, he was convinced had been deceived by the agents, and, perhaps, by the sort of witnesses who had been examined before the Committee—they had been deluded—they did not know the real state of the case—the naked truth. He did not intend any further to explain to the House why he thought the public would not be released from their anxiety upon this point by the offer of the selection of a Committee from among the whole House. He could only illustrate the position of such a Committee by that of an eminent and learned gentleman, who, before he entered into a Court, to argue a particular case, was compelled to study navigation, that he might make himself acquainted with the detail of a ship's reckoning, to enable him to examine the witnesses and sift the truth. How many noble Lords were qualified, by an intimate acquaintance with the details of slavery, to sift the truth in a case of this description? With the exception of the Colonial Secretary, whose business it was to make himself (and he believed he was) thoroughly acquainted with it—not a single one. He should shrink from thus stating to the House his peculiar individual opinions, did he not feel himself backed by half England—aye, and more than half backed by nearly the whole of his countrymen out of doors. He would refer the House to the petition presented that evening by the noble and learned Lord on the Woolsack, which was got up in a month, to those which he did then present, and also to another fact. What was it that mainly contributed to place that noble individual in the elevated station of a Representative for the county of York? What was it that, in conjunction with his eminent talents as a legislator, mainly contributed to that elevation, but the eloquence and energy with which he advocated the cause of those unhappy slaves? He considered that he had discharged his duty in thus stating what he had done to the House. He would, therefore, move that these petitions do lie on the Table.

The Earl of *Harewood* begged the attention of the House for a few moments, because, notwithstanding the candour of the noble Lord's statements, some parts of his speech seemed to contain invidious allusions with respect to the Committee which had been appointed by their Lordships on the West Indies. Upon the constitution of that Committee he would say a few words. The Committee itself arose out of the circumstance of the rejection, by the various colonial legislative assemblies, of certain Orders in Council; and it was with the view of inquiring into the wisdom of those Orders that the Committee was formed. The portion of the noble Lord's speech to which he would more particularly refer, was that in which he alluded to the noble Earl, by whom he said the Committee was constituted. In the wisdom, or otherwise, of the framing of that Committee, the noble Viscount opposite, the Colonial Secretary, was as much implicated as himself. A list had been made out and delivered to him, to which he had made several additions. There was no one who was a party to its formation, who would not go along with the noble Lord in advocating the abolition of slavery; but all that he contended was, that if that were done in the present state of things, it would have the effect of depriving every proprietor in those colonies of his rightful property, and this kingdom of the benefit of those islands: to prevent which was the sole object of the Committee. There was another point he wished to explain. It was rather improper in the noble Lord to allude to what passed in a Committee upstairs, the proceedings of which were not before the House. The noble Lord had said, that that Committee had examined none but individuals who happened to be West-India proprietors. Was it fair and proper to make such a remark when the Committee had only met three times? The noble Lord had also said, that the West-India planters had brought persons interested in those islands to give evidence. The West-India proprietors were desirous of proving, that the state of the slaves in those colonies was not such as it had been represented to be by some persons—that very considerable improvements had taken place of late years in their condition—and that those improvements were still progressing. Who were the persons to prove this, but those connected with West-Indian affairs? That was the true state of the inquiry, which had been conducted with the strictest impartiality. The noble Lord knew full well that he (the Earl of Harewood), for one, had privately invited him to form part of this Committee. He now again, and in public, invited him to do so. He called upon him to give evidence before that Committee as to many circumstances which he had stated to exist, most improperly, in those islands. He could do no more. When the feelings of those who were most deeply interested in this question were considered, whose property—he spoke not of himself, for he looked upon his as lost, and had done so for some years, but of persons who had no other means of subsistence—was involved in it, such persons might be excused, if they called upon the House and the country, and these petitioners themselves, not to force upon them so dangerous a measure as the immediate and indiscriminate abolition of slavery—a measure which would cause destruction to the property of individuals, and the loss of the colonies to this country. He went along with the noble Lord as an emancipator. He wished such a step to be taken; but not so as to bring with it the destruction of property. Let it not, for that reason, be supposed that he would stand up as the advocate of slavery. He disclaimed it—he abhorred it; and if it were in his power to do it, without injury to the islands, he would give freedom to every slave in the West Indies; but he could not consent to do so at the risk of the peace and existence of the slaves themselves — more he could not say. That Committee contained names, in abundance, of persons unconnected with the West Indies; if they did not choose to attend, he could not help it. It was very natural that those who had a more immediate interest in the colonies, should attend more regularly than those who had not; but let it not, for that reason, be said that there had been any partiality evinced in the selection of the Committee.

Viscount *Goderich* said, his noble friend who had just sat down, had appealed to him whether he was not cognizant of the names which were intended to compose the Committee. He must confirm his statement: a list had been shown him of those proposed to constitute it; there were some alterations and additions, which he had taken the liberty of suggesting, in which the noble Earl had acquiesced. He must observe, that the noble Baron who had introduced this discussion had no right to ascribe to any one improper motives in the formation of that Committee, or to attribute to any individual member of it anything but a desire to investigate the subject for which it was appointed, in the most satisfactory manner. That Committe had sat three days. He was sorry that it had not been in his power to attend it once. Undoubtedly, considering that it was moved for by those who considered that their characters and their conduct had been impugned, no matter in what quarter, it would seem perfectly natural, and in the way of business, that in the evidence which they might first select, it should be their object to relieve themselves from the imputation which they felt had been cast upon them. To him the supposition that, from the possession of property, or some other accidental circumstance, these individuals had an interest in the question, did not at all appear an implication. He wished to suggest to those noble Lords who might be members of that Committee (as well as himself), that if their proceedings were to be made the subject of discussion from time to time, before the whole House, it was utterly hopeless to expect that any good could arise from their investigation. He had greatly doubted the policy of appointing the Committee. Many strong reasons had appeared to him to render such a step unadvisable, but he had acquiesced in its appointment; and the Committee being once appointed, it would be impossible for its members to come to any useful decision if the House should be in the habit of demanding their opinions, and, above all, of inquiring into any of the interior details of their proceedings. He hoped that his noble friend on his right (Lord Suffield), would not suppose, from what he had said, that he (Viscount Goderich) felt any want of interest in the subject; on the contrary, it was one which excited his deepest attention. It was a subject of immense difficulty, not only on account of the nature of the question itself, but from the feelings of hostility which were enlisted on both sides, and which he hoped the Committee would endeavour to repress.

The Duke of *Richmond* rose to observe, as Chairman of the Committee of that House on the West Indies, that he never was present in a Committee which was more fairly and impartially conducted.

The Earl of *Selkirk* thought, that if any proof were wanting of the expediency of the appointment of this Committee, it was to be found in this petition. That upwards of 130,000 of his Majesty's subjects should put their names to a petition, on a subject of which most of them could have but very little knowledge or experience, was a circumstance than which nothing could more strongly point out the necessity for an inquiry. These men accused their countrymen of crimes which any human being would be ashamed to commit; and was the House, on their bare assertion, to punish those whom they charged with them? Were they to commit so great an injustice merely because these petitioners chose to say that these crimes had been committed, and were being continued? Under such circumstances, the only course that could be pursued was that which the House had adopted. It would afford an opportunity of closely examining persons who were sworn to give their evidence on oath, and who would thus truly declare what the real state of the slave was, and what progress had been made and was making in the amelioration of his condition. He would vindicate the conduct of the Committee from the imputations which had been cast upon it by the noble Baron opposite, and he could assure the House, that he should do his utmost to elucidate the truth, the whole truth, and nothing but the truth, from the evidence that might be adduced.

Lord *Holland* said, if their Lordships thought it necessary to call upon individuals to explain their conduct, as members of a Committee, he should be placed in rather an uncomfortable situation; for he had had the honour of being appointed a member of the Committee on the West Indies, and he should be obliged to commence by acknowledging that he had not attended it once. His noble friend must allow him to say, that the manner in which he had introduced this subject on the present occasion, if not disorderly, was very irregular and inconvenient. The noble Lord, on the presentation of a petition, had taken the opportunity of questioning the motives and conduct of that Committee, together with the propriety of its appointment. With his individual opinions on that step, it would be neither decorous nor proper to trouble their Lordships. The House had decided — the Committee had been appointed—and it certainly was extremely irregular to criticise and censure that act of their Lordships. At the same time, it would be rather curious to look at the reasons which had been urged by the noble Baron against that appointment. One of them was, that their Lordships were utterly ignorant of the subject, to inquire into which was the express object of appointing this Committee. He (Lord Holland) should have thought, that that would have been the best way of making them acquainted with it. Another reason of the noble Lord's—certainly the oddest he had ever heard—was, that this inquiry was asked for, with the view of throwing a veil over the subject. It appeared to him, that the only fair way of discussing a subject was, by inquiring into it. He could not agree with the noble Earl on the opposite side of the House, who seemed to imagine that the Committee was appointed solely for the purpose of vindicating one particular set of men. His impression was, that it was appointed for the purpose of inquiring into the subject, and for looking at both sides of the question; but, at all events, it surely could not be maintained that it was improper to take that step, because noble Lords were entirely ignorant of the subject. Why, without this Committee, they must have proceeded to legislate without information, and attempted to discuss an important subject upon which they were not qualified to form a judgment.

Lord *Ellenborough* entirely agreed in what had fallen from the noble Baron opposite, with respect to this petition, and however he might respect the feelings of the petitioners, he entertained very considerable doubts as to their prudence. He did not think that this or any Government required the spur of petitions to do that which was dictated by common humanity; and he was satisfied, that if the petitions of any body of men should cause his Majesty's Government to act hastily and violently, the petitioners would have done that which must prevent the accomplishment of what they all had in view. On this subject he deprecated all violence of language on the part of those interested, and all violence of measures on the part of his Majesty's Government. He felt convinced that the language which had been used, and the measures which had been adopted, had brought the temper of the colonial legislatures into such a state that at the present moment, by their means, nothing could be done. But it must also be recollected that at no moment, without their willing co-operation, could anything be effected. For whatever might be the measures Government forced them to adopt, in what manner could the execution of those measures be provided for? The execution of such measures must rest with the planters themselves; and unless their feelings were consulted, and a line of conduct adopted full of temper and prudence, the managers treated with kindness, and the local legislatures of the West-India colonies with respect, he was quite satisfied that, instead of going forward towards that object of humanity which the House had in view, they would be depriving themselves of the advantage which they at present possessed. He rather concurred in the opinion of those who doubted the policy of appointing this Committee, and greatly feared it would lead to mutual exasperation. If this subject continued to be discussed with good temper in that House, the most advisable course would be, to recall the authority that had been given to that Committee. He, therefore, entirely concurred with what had been said by the noble Lord opposite. He most earnestly desired that good should come from the Committee; but good could only come from it by the observance of a line of conduct distinguished by prudence, temper, and the utmost candour.

Lord *Suffield* had promised their Lordships that he would not trouble them with a speech, nor enter into a general view of the subject. Having given that promise, he would not then yield to the temptation afforded him by the noble Baron who had just sat down, who had not confined himself to the petition before the House, but had entered into the general question in a manner very much calculated to provoke discussion, but which he would resist. He would present the petition, and trusted he should not exceed the ordinary limits of explanation. He must begin by denying, *in toto*, that which had been attributed to him on the part of the noble Earl, who said, that he (Lord Suffield) had stated that the West-India planters were the only persons who were examined before the Committee. He had not said so, because he knew the contrary to be the fact. The Duke of Manchester, Mr. Hinchliffe, and Mr. Baillie were examined. These three witnesess were not all planters; but what he had stated was this, that the witnesses selected for this purpose were selected by the West-India party — that party who moved for the Committee. He was surprised at the complaints made by noble Lords on the other side, of the nature of his observations respecting the proceedings of the Committee. He was really at a loss to account for it, when not a single remark had been made by him as to the proceedings of that Committee that could be objected to, or at which any man could take offence. His remarks, as he had said before, were limited to the conduct of the party commonly called the West-India party. Another noble Lord had accused him of having stated that a majority of the Committee were blind to the interests, and deaf to the entreaties, of their fellow-countrymen: he had never said so. It would have been false upon the face of it. What he had said was, that the opinions of the majority of the Members of that House were such, upon this subject, as to make one despair of getting a good Committee formed of the Members of that House, or one that could give satisfaction. He had gone on to say, how can a Committee gain the confidence of the public, selected from such a House, who, blind to the interests and deaf to the entreaties of their next-door neighbours, could hardly be expected to feel for their transatlantic fellow-subjects, who had no Representation in the House of Commons, and no better advocate in their Lordships' House than the individual now addressing them. One thing he had learned from the conversation of that evening. It had made him sufficiently sensible of the predicament in which he stood. He stood alone in that House the strenuous, energetic, and uncompromising advocate for the abolition of slavery. But that was not all the exclusiveness: he stood in that situation beyond what their Lordships were aware of, for he was not supported by the Anti-slavery Society, as it was called. Those who agreed with him in his opinions would much rather that he would not attend this Committee. It was laborious enough; but he did it, because he felt that, as a Member of their Lordships' House, he was not the Representative of the Anti-slavery Society, or of any part of the people of England. He was there to discharge his duty; and, please God, with life and health, he would continue to attend that Committee; and if there should be any fallacy existing there, so long as he possessed the power, he would attend it and expose such fallacies as deserved exposing. Inability from ill health, or the want of power to discharge his duty there satisfactorily to himself, would alone induce him to abandon his post. The noble Earl had spoken of the improvement of the negroes. That had been said for the last forty or fifty years: it was the old story. On every occasion of inquiry, it had been said, that no time was given for improvement: and when, in the year 1790, evidence was taken on this subject, everything was happy; slavery was a happy state, and the slaves were as well-conditioned as possible; so much so, indeed, that a certain Admiral examined before the Privy Council, declared that he wished to be a slave; and so far as the inquiry before the Committee had gone, if he knew no more, he (Lord Suffield) should have been tempted to say—"Make me a slave!"—like the worthy Admiral. Another noble Lord had said, that there were accusations of cruelty and ill treatment of slaves, without end and without foundation. He would meet the noble Lord on that subject at once, by the production of well-authenticated cases of that kind before the Committee. He had already suffered for having made allusion to such cases. It had happened to him to quote a Protector of Slaves' reports, in the year 1825, at a public meeting in Norfolk. He had a newspaper in his possession, in the West-India interest, which had proclaimed him a liar, and held him up to public execration, in those exact words. Although a Peer of the realm, and one on whose word the life of a fellow-subject might by the law be made to depend, he had not prosecuted the libeller, but he moved for the production of papers which he (Lord Suffield) had quoted, to lie on the Table. In 1826, a few months after his speech in Norfolk, he had repeated in that House the same facts, and called any one, having the papers in his hands, to contradict him if he could. He had not then been contradicted. An observation had been made on his supposed want of delicacy, in stating his own opinion with regard to the object for which this Committee was required. He had not stated his own opinion. But, paradoxical as it might appear, and feeling a little excited by the observations of his noble friend, he would then declare his opinion as to the motive and real object for which this Committee was asked. Far as it must be from his intention to attribute to the noble Earl such a motive, still he was quite certain, that those who urged the noble Earl to move for the Committee were desirous of it as a pretext for delay—as a means of postponing emancipation. They had that, and that only, for their object. They wished to throw obscurity upon the subject, knowing full well that, at that very moment, instead of inquiring into the state of slavery in the West Indies, the House ought to be employed in ascertaining the safest, surest, and most expeditious mode of abolishing slavery altogether. He would read one part of the petition, in answer to the charge made against the petitioners—namely, that they were persons desirous abruptly to put an end to slavery. The petitioners prayed that their Lordships would be pleased to proceed to the immediate consideration of a measure for the abolition of slavery throughout the British dominions, at the earliest period compatible with the substitution of a system of judicial restraint for the irresponsible authority of the master. He must now conclude by presenting the petitions which had been confided to him; namely, from Nottingham, and other places of consideration, twenty-one in all, to which were attached 6,896 signatures.

Petitions to lie on the Table.

PARLIAMENTARY REFORM — BILL FOR ENGLAND — COMMITTEE—FIFTH DAY.]

On the Motion of Earl Grey, the House went into Committee on the Reform of Parliament (England) Bill.

On the 18th Clause being moved,

The Marquess of *Salisbury* said, that having further considered this clause, he must beg to call upon the noble and learned Lord opposite, in compliance with his promise of last night, to expunge this clause altogether.

The *Lord Chancellor* had pledged himself to amend, not to expunge the clause; and he was now prepared to insert such words as he thought would remove the objections that had been raised. The words which he proposed to add to the proviso would effectually preserve the rights of *bona fide* freeholders.

Lord *Wynford* admitted, that the noble and learned Lord's amendment would get rid of a considerable part of the difficulty, but thought it desirable to embody with that amendment a proviso, requiring the estate to have been originally granted for three lives. This would do away with the possibility of granting freeholds, merely for election purposes on very aged single lives; and he thought, taken with the Lord Chancellor's amendment, it would go a great way to correct an acknowledged evil, which he admitted, however, it was almost impossible to put an end to altogether.

The Clause, as amended, was agreed to.

The 19th, the 20th, the 21st, the 22nd, and the 23rd Clauses were agreed to, and ordered to stand parts of the Bill.

On the motion that the 24th Clause, which enacts that no person shall be entitled to vote at the election of members to serve for any county, in respect of any freehold house or premises, occupied by himself, which would confer on him the right of voting for members to serve for any city or borough, stand part of the Bill,

Lord *Wharncliffe* rose to propose an Amendment. He said, that the present clause had been introduced in another place, as noble Lords might be aware, by hon. Gentlemen who were unfavourable generally to the Bill itself, and as he was not himself generally unfavourable to the Bill, he trusted he might be allowed to state his objections to this clause, and in doing so, such was the state of the House at the present moment, he should not trouble their Lordships at any great length. He begged to remind noble Lords, that when it was sought to enfranchise large towns, which he regarded as containing the democracy of the country, their Lordships should, at the same time, take care not, in doing so, to interfere with the interests of the agriculturist or aristocratic interests of the country. It was a principle of the Constitution that each interest should send its separate Representatives to Parliament. By this clause, however, a great preponderance would be given to the influence of residents in towns in the election of Members for counties. Even as the law now stood, that influence was too great; and in support of that opinion, he must remind the noble and learned Lord on the Woolsack of his own declaration. The noble and learned Lord said, on March 28th, 'His noble 'friend had alluded to his canvass in the 'county of York. But he begged to remind his noble friend, that he had never 'thought of canvassing the squires, though 'he had taken great care to canvass the 'town. Indeed, the squires were at first 'violently opposed to him, as most of his 'best friends always had been, and among 'the squires of Yorkshire he had the honour of boasting many friends. The 'squires actually held a meeting for the 'purpose of preventing his standing. But 'he was bound to add, that when they 'found they could not do that, the meeting 'ended in an invitation to him to offer himself as a candidate. However, he had 'not placed any dependence upon the 'squires; all his reliance was upon the 'towns, for they were sure to carry the election.'* That was not a proper state of things. These towns had now too much influence over the elections for the counties, and it was quite wrong to leave any of that influence to the towns when it was proposed to give them Representatives of their own. That was done, however, by the present Bill. It was true, that the Bill provided that the occupiers of houses of 10*l.* value should have a vote for the town in which it was situated, but those who lived in houses which they hired, of that value, and at the same time had houses of that value, which they did not occupy themselves, would be entitled to vote in respect of the premises they occupied for the town, and in respect of the freehold they did not occupy for the county. That was, in his opinion, wrong, and he should therefore propose, instead of the clause as it stood, a clause to the following effect, as being much better, and more definite—"That notwithstanding any thing hereinbefore contained, no person shall be entitled to vote in the election of any Knight or Knights of the Shire to serve in any future Parliament, in respect of any estate or interest in any lands, hereditaments, or tenements, situate in any city, town, or borough, entitled to return Members to serve in Parliament." Such a clause as this, he conceived, would prevent that abuse of which he complained—an abuse which was not confined to the county with which he had himself been so long connected (the county of York), but also prevailed in every county in the kingdom —in some, certainly, to a greater extent than in others. He admitted that this would disfranchise many individuals *quoad* the counties, but then they would retain their franchises for boroughs or towns, and would suffer no injury. He would propose, too, in order to save these rights, "that all persons having a freehold in any town or city, shall, by virtue of that freehold, whether occupied by himself or not, or whether of the value of 10*l.* or not, have a vote for that town or city." That would, he thought, obviate all such objections. This was no trifling matter, for he was inclined to believe, that the proposed division of counties would tend much to increase the evil of which he complained, unless some definite provision, like his proposed clause, was made in the Bill. He could not avoid instancing the county of Warwick as an example, where the influence of the manufacturing towns, such as Birmingham and Coventry, would predominate much in the county election, without such a provision as that he had named; and it was worthy of note, that it was in these very towns that the Political Unions existed, which had almost gone to the extent of usurping the functions of the Government itself. Staffordshire was an instance similar to Warwickshire, and it would return four Members in the manufacturing interest when it was divided. If the Opposition were right in considering that the Bill gave a preponderance to the manufacturing interest in the House of Commons, the only check was, saying fairly to that part of the country which was not manufacturing, "you shall have the right of choosing Members where other interests shall not interfere." He assured their Lordships that he threw out this suggestion only from the purest intention of making the Bill as perfect as possible. He was quite aware that, in the present state of the country, they (the Opposition) had not the means of forcing any alteration upon the other side, He was not reconciled to the Bill; his opinion of which was, that it went further than the occasion required.

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*Hansard, (third series), vol. iii. p. 1063.

The *Lord Chancellor* did justice to the fairness and candour of his noble friend in bringing forward this Motion, which he had stated with admirable temper and moderation. Looking at the subject only in one point of view, as his noble friend had done, he might be disposed to concur with him: but, regarding it in all its bearings—considering what rights were preserved, and what created—what the law was at present, and what compensation was given by the Bill before their Lordships—taking into view the whole of these points, he came to an opposite conclusion. His noble friend had argued as if they were in effect, now first giving the right of voting to all those persons whom he would call 40*s.* freeholders. But all these persons had at present the right of voting. These persons were, in many counties, very numerous. In a contest for Yorkshire, if you could make sure of two or three large towns, you had an exceeding good chance of being returned for the county. That was the case at present, and it undoubtedly gave a great preponderance to the manufacturing interest. By the 24th section of this Bill, in conjunction with the 25th, a large body of voters was taken out of the mass of voters for the county, depriving them of their right of voting for the county; and by so much it remedied the evil complained of. This was enough to show, that the improvement made by the Bill, in the manner wished by his noble friend, was very large; and the only question was, whether the improvement went as far as it ought to be carried. This reduced the objection against the measure to very narrow limits. The object of his noble friend's Motion was, to go further. But his noble friend had under-rated the amount of the persons taken out of the county. A great proportion of these 40*s*. freeholders were 10*l*. householders. Nor had his noble friend taken into view the compensation to the agriculturists, by the creation of several classes of new voters, for the balance in favour of the manufacturing interest caused by the new towns created by the Bill. The alterations made in the right of voting called into existence in every county a large proportion of agricultural voters; for, besides copyholders and leaseholders, tenants-at-will were also allowed to vote. He considered that the agricultural interest, so far from suffering loss, would be greatly benefitted by the Bill. He knew that in the county of York, where the Representation was formerly influenced by the great towns, the six Members would be much more under the control of the landed interest; while in Lancashire, of which he had some knowledge, two out of the four county Members would unquestionably be agricultural. He thought, indeed, that the advantages gained by the landed interest had been much under-rated, rather than over-rated, by the supporters of the Bill. His noble friend, in selecting the county of Warwick, had selected an extreme case, upon which it was not fair to argue. But he could assure his noble friend that he (the Lord Chancellor) had not over-stated, but, had rather under-stated the case, when he said, that in that county two out of the four Members, according to the framing of the Bill, would be persons connected with, dependent upon, and speaking the sentiments of, the agricultural, and not the manufacturing interest. It must not be forgotten that the giving of circuits to towns would also have the effect of taking many persons out of the county, and adding them to the agricultural constituency. But, really it was not politic to talk of these as separate interests. The great advantage of the Bill was, that it held the balance of interests equal, tending to mix and blend them in combination, while it secured a just and effective Representation to the whole.

Lord *Wynford* contended, that the noble and learned Lord had not answered one of the objections urged by the noble Baron to the most ruinous portion of the Bill. The noble and learned Lord contended that the agriculturists, so far from being injured, had actually received a boon. He knew not what that boon was, but he saw that the manufacturers had received a boon at the expense of the agriculturists. Were the sixty-five new boroughs nothing in favour of the manufacturers? Already the influence of the towns was great in the election of county Members. It was impossible to look at the late contests in Cambridge and Dorsetshires without seeing the influence of the towns; and how much greater would be that influence after the passing of that Bill, with a clause such as that now before them? How, too, was the clause worded? He would ask the noble and learned Lord, who knew as much of the technicalities used by conveyancers as any man did—he would ask him to look at the clause, and say whether it was not the most loosely worded of any he had ever seen in an Act of Parliament? Let the noble and learned Lord look at the words, "any house, warehouse, or other buildings." Now it might happen according to this clause, that a person might have a vote in a town for his dwelling-house, and a vote for the county in right of his buildings. He would ask, was that double vote just? Was it reasonable? or was it in accordance with the avowed principles of the Bill? Was it right to give a double vote of this kind to voters living in towns, when nearly one-half of the inhabitants of England were altogether excluded from exercising such a privilege, and shut out of the pale of the Constitution? He thought that this was gross injustice. It was possible, indeed, when the Bill passed, that although one-half of the inhabitants of the kingdom had no vote, there might be residents of London who would have votes for London, for Lambeth, and for the county of Surrey, with only one occupancy. These were some of the effects of the Bill. The country had been deluded with respect to it; but he was confident it would not be long before the people from every part of the kingdom would appear at the bar with petitions to be relieved from the effects of this most unequal, unjust, and mischievous measure. He had always been a friend of Reform, always an advocate for extensive Reform in the representative system; but he could not consent to place (as the Bill would if the clause remained) all the agricultural interests of the country at the mercy of the manufacturers. He would have destroyed all corrupt boroughs; all those in which the right of voting had been made an object of sale; but he could not see the propriety of destroying all those boroughs, called nomination boroughs, which had been used as property purely on conservative grounds, and for the preservation of the rights of the landed interests of the country. It was said by the noble and learned Lord, that the agricultural interest would lose nothing: but did the noble and learned Lord not see that it had lost all those boroughs, which, in general, belonged to great landed proprietors, and who always returned Members disposed to support the agricultural interests? He believed it would be found under the new Constitution, that there would not now be a hundred Representatives of the landed interest in the House of Commons. Nothing but ruin could be the result of such arrangements; and if, when he walked out of the House, he knew he was to be hanged to the nearest lamp-iron, he should certainly give his vote against the Bill, if the clause was not amended. The country and the House had been deluded with the hope of amendments being considered in the Committee. Their Lordships had been deceived by the promise that the Government would permit some alterations and modifications in Committee, if they permitted the Bill to be read a second time; and he hoped that all who had been thus deceived and deluded, would see the propriety of doing justice to themselves and to their country, by rejecting the Bill, thus unmodified, when it came to be read for the third time.

The Bishop of *London* was not prepared to go along with the noble and learned Lord in his proposition for rejecting the Bill on the third reading, because the offered amendments were not agreed to; but he confessed he was not without his misgivings on the disadvantages of the clause then under consideration. He had no objection to give those who held a qualification, but yet were residents in boroughs, a vote for counties, but he could not assent to the double vote, nor did he think it was in accordance with the principle of the Bill.

Lord *Holland* observed, that the noble and learned Lord (Wynford) had, in the course of his argument on that occasion, displayed the same ignorance of the constitutional history of the country which he (Lord Holland) had more than once remarked in the addresses with which the noble and learned Lord had favoured the House. The noble and learned Lord said, that his noble and learned friend (the Lord Chancellor) had not answered the objections of the noble Baron, but he contended that the noble and learned Lord had answered most clearly and satisfactorily. Without dwelling on the advantages conceded to the agriculturists, with respect to leaseholders and copyholders, he was prepared to prove that the agriculturists would gain largely in actual Representation. The noble and learned Lord had talked of Constitutional Representation. In what portion of the noble Lord's constitutional history did he find it stated that the nomination boroughs were part of the agricultural Representation? On what authority did the noble and learned Lord state that? He denied the noble and learned Lord's assertion in the strongest manner. These boroughs did not belong to the agricultural interests—they belonged to any one who had money to purchase them. They were the mere objects of barter and sale. Their voters were the slaves of any master. The nomination boroughs were any man's property, as the defenders of any rights. They were the representatives of that which had been described "as mine, as his, and as having been slave to thousands;" and they formed no part of the landed, any more than the other interests of the country. But how did the Bill injure the landed interests? Why, it actually gave sixty-five Members to the county interests, and took away seventy-eight from the borough interests. Was this depriving the agriculturists of their fair share of the Representation? The noble and learned Lord (Wynford) had displayed an ignorance of the provisions of the Bill which he could not have anticipated. He would only refer to one other point. While the addition of leaseholders, and copyholders, and tenants-at-will would give the agriculturist a great deal more influence in county elections than they had, the boroughs would not have so many residents entitled to vote for counties, as well as boroughs, as they had before.

Lord *Wharncliffe* said, all 20*l.* leaseholders would have a right of voting for the county.

Lord *Holland* denied this; he believed it was not so—but the time was coming when it would be argued more fully. All he would further say was, that the answer of his noble and learned friend (the Lord Chancellor) seemed to him to be perfectly satisfactory as a refutation of the statements of the noble Baron.

Lord *Wynford* complained, that the noble Baron had made observations on him which were not warranted, and that he had violated the courtesy of the House, in not addressing himself to the subject rather than to comments on his ignorance as an individual. With respect to what he had said on the subject of nomination boroughs, he would repeat, that he believed these boroughs in general were the property of great landholders, and used for the protection of the landed interests, but he had not said they were a part of the landed Representation.

The Earl of *Malmesbury* contended, that a great proportion of the county Representation would, if the clause remained unaltered, become subservient to the manufacturing interests. In Hampshire, with which he was connected, he knew, that the county interest had always been compelled to struggle with the power of the dock-yards at Portsmouth in the contest for the Members; and he was convinced that the Members for the southern division of the county would now be wholly in the interest of the towns. Of the whole Representation, he had calculated there would only be 129 Members left to support the landed interest. No man would tell him that that interest was represented in the county of Middlesex. One of the present Representatives of that county was a decided enemy to the Corn laws—those laws which were considered by the landed interest as their especial protection. Some time ago the same Gentleman had made a motion in the other House of Parliament, which, if carried, would have been ruinous to that interest. It might, therefore, be said, that in this county the town interest was predominant. The same was the case with Lancashire. In the county of York it was possible that there might be a gain of one Member to the landed interest; but he apprehended that in that of Leicester one-half would go to the manufacturing interest, and this, too, in a county in which hitherto the agricultural interest had predominated. In Norfolk and Gloucestershire the interests would be balanced; the landed interest would prevail in the one-half of each county, and the manufacturing in the other. In the county of Nottingham, if this clause were retained as part of the Bill, the effect would be similar. Of Derbyshire he had doubts; of the county of Warwick he had none; for it would be so altered by this Bill, that it would be impossible for any independent country gentleman who, as a matter of course, meant to support the agricultural interest, and what was called a Corn Bill, to obtain even the chance of a seat. He had been alluded to the other night on a question connected with this subject, and had been charged with being unwilling that the manufacturing towns should be represented. He entertained no such wish: it had always been his desire to blend together the two interests to which he had alluded; but there did exist, on the part of the persons composing the manufacturing interest, a very strong feeling of prejudice against the great landed interest. Of this there was abundant evidence; and a most decisive proof of it was to be found in the addresses which had been published of many of the would-be Members of a reformed Parliament, men furnished by a Society which existed in this metropolis for that purpose—a sort of register-office to provide candidates for seats in Parliament. All the individuals alluded to were distinguished for their enmity to the Corn laws; some of them had written pamphlets—most had delivered speeches on the subject. He believed that question had been first debated in the other House of Parliament; and if it were now to happen that appeal was made by petitions from the people, praying for the repeal of those laws, it would be quite impossible for any Government, however popular, to stem the torrent. He believed that the noble Lords opposite entertained no feeling of hostility to the agricultural interest: but it would be impossible for them to resist the popular will on such a subject as that, especially with the House of Commons, constituted as it would be of Members chosen under the operation of this clause as it now stood. He had but few hopes of inducing his Majesty's Ministers to accede to the proposition of his noble friend. He was aware that they (the Opposition) were fishing for impossibilities in the pool of despondency. He was also aware that the omission of this clause would be accompanied with an act of disfranchisement, but there would be nothing new in that respect; the whole Bill was one of disfranchisement; witness the scot-and-lot voters in towns, and the 40*s.* freeholders in counties. It was certainly, in part, a Bill of disfranchisement, if not wholly so. There could, therefore, be no obstacle to the application of the same principle in this case—a case which was supported by the most unanswerable arguments. These towns, now unrepresented, but which were to have that privilege conferred on them for the first time by this Bill, in some parts of the country hung together in clusters as thick as cherries. In one county there would be not less than fourteen of these new boroughs; in that county, therefore, it was certain that if the existence of this clause were allowed, the influence of those voters would, of course, predominate at a county election. He must urge and press it upon their Lordships most strenuously, whether, by the adoption of the Amendment of his noble friend, something might not be gained. With respect to another point which had been touched upon—the influence of the agricultural interest over what were called the rotten boroughs, he had no doubt that there was an immediate connexion between that interest and the boroughs which were by this Bill to be disfranchised. It was equally certain that that interest was protected by those boroughs. If their Lordships looked to the numbers which were to be disfranchised in the southern and eastern, or agricultural, districts of England, compared with the numbers which remained in the northern districts which were the manufacturing; it would become evident to them, that there was some reason for the assertion, that the agricultural interest would suffer by the disfranchisement. Of the boroughs in schedule A, there were thirty-nine boroughs taken from the south and west, sending seventy-eight Representatives to Parliament; the north lost only five boroughs, or ten Members, and the eastern and midland counties were deprived of twelve boroughs, returning twenty-four Members. So, to the north of England thirty-one additional Members were given, while the southern and west were to receive only six; thus creating a difference of nearly seventy Members in favour of the northern, over the southern portion of the empire. No man could deny, that that must affect, more or less, the landed interest; and he therefore considered it an additional argument why that interest should not be any further weakened, and be entirely subjected to the overpowering influence of the manufacturing interest, by the admission of town voters also to the franchise of the county, as proposed by this clause.

The Earl of *Warwick* said, that it was a mistake to suppose that the county from which he derived his title would receive any benefit from the Bill. The 40*s.* freeholders of the town of Warwick were numerous enough to influence the return for one division of the county, while the voters from Birmingham and Coventry would overwhelm the agricultural electors of the other division.

Lord *Seagrave*, having formerly represented Gloucestershire, could say, from his own experience, that the danger there to the agricultural interest was by no means so great as the noble Earl (the Earl of Malmesbury) seemed to anticipate. At Stroud there was no wish, as he knew, to return a Member connected with manufactures, and the voters to be created by the Bill had actually fixed upon one individual whose property and connexion were purely agricultural. He could not tell what would be the character of their second Member; but this he could say, that none of the three gentlemen now canvassing for the future Representation of that town was connected with the manufacturing interest.

The Earl of *Radnor* contended, that the arguments of noble Lords on the other side, if good for anything, went to the extent that the manufacturing interests ought not to be represented at all. As to what the noble Lord (Lord Wynford) had said about nomination, or, as he would call them, rotten boroughs, affirming that they ought to be preserved, as they gave additional and beneficial influence to the agricultural interest, it was remarkable in what various ways these unfortunate blemishes of the Constitution were used. At one time it was asserted that they were useful, because they afforded the means of more fully representing the landed interest; at another that they gave Members to the monied interest; at a third, that they formed the only mode by which the voice of the colonies could be heard; at a fourth, that they were advantageous to the East-India Company; at a fifth, to the Bank of England; and at a sixth, that they were the nurseries of sucking Statesmen. Certainly noble Lords on the other side had every reason to be grateful to rotten boroughs, and not least for the convenient manner in which they were applicable in argument.

The Earl of *Carnarvon* said, that in the formation of the Bill, nothing like impartiality had been shown, inasmuch as the landed interest was entirely neglected, while the manufacturing interest obtained a most undue preponderance. The agricultural districts in the neighbourhood of great towns—as it were under their guns—would be inundated with voters who had no connexion whatever with the soil, and whose wishes must be opposed to those engaged in husbandry. Ever since he had heard anything of Parliamentary Reform the nomination boroughs were objected to because they were the property of Peers; that is, of men connected with the landed interests of the county, and by destroying them that interest would be injured. The object ought to have been to preserve an equilibrium among all interests, which was not done. That Constitution was the best which equalized all, giving strength to the weak, and controlling the powerful.

Lord *King* said, that if the noble Earl (the Earl of Malmesbury) could carry his wishes to the full extent, he would find that the disfranchisement of the freeholders residing in boroughs would be carried much further than he at all contemplated; for at present they were enabled to vote for two Members for the borough, and for two for the county, in right of their freeholds; whereas, if residing in any of the boroughs in schedule D, they would, according to the proposition of the noble Lord, lose not only the right of voting for the two county Members, but would also lose the right of voting for one Member for the borough. Thus, instead of the right of four votes, they would have only one.

The Earl of *Haddington* said, that in the Scotch Reform Bill, yet before the other House of Parliament, a clause, the 35th, had actually been inserted by the framers, carrying into effect the very object of his noble friend's Amendment. He could not see why one principle was to be applied to England, and another to Scotland.

The Earl of *Camperdown* remarked, that the cases of Scotland and England, in this respect, were by no means parallel. The right of voting in Scotland was peculiar.

The *Lord Chancellor* adverted more particularly to the distinction in the right of voting in the two countries. The description of freeholders known in England did not exist in Scotland, and the Scotch Bill was, therefore, adapted to the circumstances of the country.

Lord *Wharncliffe*, in reply, observed, that it was stated by the noble Lord who brought in the Bill, that it was intended to allow each class to choose each its own Representative, and not interfere with any other. It was expressly said, that the inhabitants of towns were not to interfere with the county elections. That intention was not, however, fulfilled by the clause as it stood; and he, therefore, felt bound to take the sense of the Committee on his Amendment.

The Committee divided on the Amendment: Contents 23; Not Contents 84—Majority 61.

List of the NOT-CONTENTS.

His R. H. the Duke of Sussex.

DUKES.

Bedford
Brandon
Norfolk
Richmond
Somerset.

MARQUESSES.

Lansdown
Queensberry
Westminster.

EARLS.

Amherst
Camperdown
Charlemont
Chichester
Craven
Gosford
Grey
Huntingdon
Lichfield
Minto
Mulgrave
Onslow
Oxford
Pomfret
Radnor
Suffolk
Thanet.

VISCOUNTS

Bolingbroke
Falkland
Goderich
Hood
Lake
St. Vincent.

LORDS.

Amesbury

Auckland
Audley
Barham
Boyle (Earl of Cork)
Brougham
Carleton (E. of Shannon)
Chaworth (E. of Meath)
Clements (E. of Leitrim)
Clifford
Clifton (E. of Darnley)
Crewe
Dacre
Dinorben
Dormer
Dover
Dunally
Dundas
Dunmore (Earl of Dunmore)
Durham
Fife (Earl of Fife)
Fingall (Earl of Fingall)
Gardner
Glenlyon
Godolphin
Granard (E. of Granard)
Hawke
Holland
Howard de Walden
Howden
King
Lynedoch
Lyttelton
Melbourne (Viscount Melbourne)
Mendip (Visc. Clifden)
Mostyn
Napier
Oakley
Panmure
Poltimore
Ponsonby of Imokilly
Rossie (Lord Kinnaird)
Say and Sele
Seaford
Sefton (Earl of Sefton)
Segrave
Selsey
Stafford
Templemore
Wenlock.

ARCHBISHOP.

York.

BISHOPS.

Chichester
Hereford.

List of the CONTENTS.

His R. H. the Duke of Cumberland.

EARLS.

Bathurst
Carnarvon
Dartmouth
Malmesbury
Manvers
Selkirk.

LORDS.

Bexley
Bolton
Douglas
Ellenborough
Kenyon
Melros (E. of Haddington)
Ribblesdale
Sherborne
Stuart de Rothesay.
Wallace
Wharncliffe
Wynford

BISHOPS.

Bristol
Exeter
Gloucester
Rochester.

Clauses 24, 25, and 26, were agreed to.

On Clause 27 being read,

Lord *Wharncliffe* stated, that he had several amendments to propose, and suggested the propriety of adjourning.

Earl Grey consented.

The House resumed. The Committee to sit again.

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HOUSE OF COMMONS,

Thursday, May 24, 1832.

Minutes.] Paper ordered. On the Motion of Mr. O'Connell, an Account of the Number of Freemen created in each Corporate Town in Ireland, returning Members to Parliament, from 1st May, 1831, to 20th May in the present year, declaring those who have been declared entitled to their Freedom as of Right.

Petitions presented. By Mr. Hoskins, from Ross, for the Amelioration of the Criminal Code;—and from Liverpool, —against the Liverpool Disfranchisement Bill.—By Mr. John Wood, from Harcourt, near Blackburn;—by Mr. Hoskins, from various Congregations of Dissenters at Hereford, and other Places;—by Mr. Labouchere, from Taunton;—by Mr. Wilks, from Boston;—by Mr. Fowell Buxton, from the Protestant Dissenters of the Three Denominations;—and from the Clergy of the Diocese of Tuam,—for the Abolition of Slavery.—By Mr. John Wood, from Ashton-under-Lyne, and six other Places;—by Mr. Wrightson, from Hull;—by Mr. Heneage, from Lincoln;—by Mr. Labouchere, from Taunton;—by Mr. Macleod, from Tain;—by Mr. Thomas Dundas, from York;—by Mr. Littleton, from Burton-upon-Trent, and West Brumwich;—and by Sir James Macdonald, from Alverstoke and Lymington, —not to grant any Supplies till the Reform Bill be passed. —By Mr. John Wood, from the Manchester Association for the Preservation of Foot-paths, against the Power of Magistrates to stop up Foot-paths.—By Mr. Macaulay, from Wincanton, Thorne, and Buckingham;—and by Mr. Hoskins, from Bankers and Traders of Hereford, —for an Amelioration of the Criminal Code.—By Mr. Labouchere, from Friendly Societies at Taunton;—and by Mr. Wilks, from a Friendly Society at Falmouth,— in favour of the Friendly Societies Acts Amendment Bill. —By Mr. Schonswar, from Hull, for the House to interfere on behalf of the Poles.—By Mr. Dixon, from Glasgow,—for Relief to the West-India Colonies.—By Mr. Hodges, from Tile Makers in Kent, for the Repeal of the Duties on Tiles.

Slavery in the Colonies.] The Marquis of *Chandos* presented the Petition agreed on at the meeting held in the city, of Planters, Merchants and others connected with the West-India interest. The petition called the attention of the House to the distress of the West-India Colonists, and prayed protection and relief for them. The noble Lord stated, that it was much to be regretted, that this question, which was to come on to-night, had not been taken up by Government, but was left to other parties.

Sir *Adolphus Dalrymple* rose for the purpose of supporting the prayer of this petition, although he had no other interest in the West Indies, or in West-India property, than what every Englishman who was acquainted with the importance of these colonies must feel. The West-Indians had been reduced to their present state of distress by a variety of causes—among others, their produce had been taxed far beyond all other mercantile produce. Although it was now seventeen years since the peace, war taxes were still charged upon West-India produce, while they were paid on no other commodities. For several years, the profits from the West-India estates had been very trifling; and occasionally the cultivation of those estates had been carried on even at a loss. It was the opinion of a very large portion of the more intelligent and reflecting classes, that the conduct of his Majesty's Ministers towards the West-India colonies had been harsh and cruel. He would appeal to any man of candid mind and unbiassed judgment, and who was acquainted with the circumstances of the case, whether the Orders in Council had not produced the most serious inconvenience in those colonies where they had been brought into operation. The attempt on the part of his Majesty's Ministers to force those Orders in Council into operation in all the colonies was most injudicious, and would be attended with the most disastrous consequences. He was surprised that the Government should support the views of Lord Goderich, after the noble Lord opposite had declared in that House, and the noble Earl at the head of the Government in the other House, that in a very short time Ministers would be prepared to submit to Parliament some extensive measure for the relief of the colonies. He (Sir A. Dalrymple) held in his hand a paper relative to the population of the West-India colonies, with a view to show, that it had been gradually diminishing for some years past. He was convinced that the paper was erroneous; but, if it showed anything, it only proved, that the great distress in the colonies had produced an increased mortality. He was sorry that there should have been anything in the conduct of the local legislatures of the West Indies which could make them liable to the aspersions of the hon. member for Weymouth. He had, however, greatly exaggerated the faults of those bodies, and imputed motives which had never actuated them. He had been astonished at the observations made by the hon. member for Weymouth respecting the legislature of Jamaica, some weeks ago. The hon. Member had charged that body with a wish to throw every impediment in the way of the amelioration of the condition of the slaves. So far from this being the case, several most important regulations had been introduced to promote that amelioration. He was not surprised at some degree of feeling having been manifested by those colonial assemblies, at the treatment they had experienced from the Government. Human nature was the same on both sides the Atlantic, and it was probable, that within the Tropics the tempers of men were more easily excited at ill-treatment, which he certainly thought these persons had experienced. At the public meetings held throughout the country, on the subject of slavery, the most scandalous stories were told respecting the treatment of the slaves, and things were narrated as of daily or recent occurrence, which happened thirty or forty years ago. Whenever motions had been made for ameliorating the condition of the slave-population, the grossest calumnies and the most shameful reflections were cast upon the conduct of the West-Indians, and more especially on the members of the colonial legislatures. He knew that speeches of this nature had produced the worst possible effects on the minds of the slave-population. One expression of this nature had fallen from the hon. member for Weymouth, which he (Sir A. Dalrymple) knew to be incorrect. The hon. Member had said, "That he did not hesitate to declare, that the whole endeavours of the West-Indian legislatures had been exerted to suppress religious instruction." He must also express his surprise that the hon. Member had thought it necessary to allude to the case of Missionary Smith, going into all the grievances or causes of complaint for several years. The only effect this could have would be, to excite a prejudice in the minds of his hearers against the colonists. The hon. Member had also formerly stated, "That the people of Demerara had entered into a resolution not to allow religious instruction to be given to the slaves." In reply to this assertion, a letter appeared in the newspapers, contradicting this statement, and also denying that a single missionary had been driven from the island of Demarara, as had been asserted by the hon. Member. A new Missionary chapel had also been built in George town—there were now eight Missionaries employed in preaching and imparting instruction in schools to the negroes in that town—there were three clergymen of the Church of England, and one Roman Catholic clergyman—these latter, with eight catechists, were paid by the colony. He was certain that this statement was correct, in consequence of a friend of his, who was connected with the colony having told him that it might be relied on, and that he was prepared to confirm every part of it on oath. As to the charge that the local legislatures were opposed to the religious instruction of the negro, he would in reply only refer to the recent speech of the Archbishop of Canterbury, with which the hon. Member was, he hoped, much gratified. The Archbishop of Canterbury said, that he was formerly President of the Society for the Conversion of the Slaves in the West-India colonies; and that this Society had been materially aided in its useful labours by the assistance it received from the local legislatures, especially that of Jamaica, and more particularly for the last eighteen years. That in Jamaica 40,000*l.* had been given by the local legislature for religious instruction, and also, that there was no want of religious instruction in the island of Barbadoes. The Archbishop further stated, that numerous schools had been established for the moral and religious instruction of the blacks; and that, altogether, the labours of the Society had been attended with the most beneficial results. It was, in his mind, a matter of duty to show that there was no want of religious instruction in the colonies, and that there was no indisposition on the part of the colonists to impart it, as had been said by the hon. Member; and it was neither kind nor Christian-like to make an unfounded charge of this nature against large bodies of persons.

Petition to be printed.

Mr. *Fowell Buxton* presented two Petitions for the Abolition of Slavery, and went on to say, that, as he had been induced to alter the wording of his motion since the morning, at the request of several hon. friends of his, he would at once read it to the House. It was, "That a Select Committee be appointed to consider and report upon the measures which it may be expedient to adopt for the purpose of effecting the extinction of slavery throughout the British dominions, at the earliest period compatible with the safety of all classes in the colonies." His object then, it would be perceived, was, to call upon the House to pledge itself to the adoption of means for the abolition of slavery. Before, however, he made any observations on this Motion, he meant to make some remarks in reply to what had fallen from the gallant Officer opposite. The hon. and gallant Officer's speech was a reply to one which it appeared he (Mr. Fowell Buxton) had made two months ago. He wished the gallant Officer had been a little earlier in the field, or a little later; somewhat more active, or somewhat more tardy; for, certainly, the gallant Officer could not have selected any other time in which such an attack—which he must consider a personal one—would have been equally embarrassing. At the very moment when he was about to bring forward this voluminous subject, the gallant Officer was pleased to distract his attention. The gallant Officer stated, that he (Mr. F. Buxton) had used expressions towards the members of the colonial legislative assemblies which were unjust and unchristianlike. He would only observe, that he had given utterance to language weak and feeble in comparison with what he had felt on the subject; and that the expressions he had then used he was prepared to justify, and to prove, to the satisfaction of every impartial person, that they were fully called for. Reference had been made to the exertions of the Society for the Conversion of the Negroes, with a view to show that the colonists were not indifferent to the religious instruction of their slaves. But what would the House think of this Society, when he stated that, notwithstanding all that had been said of their exertions to ameliorate the condition of the negro-population of the colonies, the Society had been in possession of slaves for upwards of 100 years. An estate was left to this Society, for the purpose of raising the negro character, and of instructing and improving the condition of the slaves; but four years ago they declared in their report, that the negroes were still unfit to enjoy the common rights, and to perform the common duties, of man; the whip was carried in the field—the Sunday was a day of labour to the slaves of this Christian prelatical body, and, in short, their slaves were as low in morals, as oppressed in labour; as much subject to wanton punishment, as those of the planters themselves. The hon. Baronet had referred to the language used on a recent occasion by a right reverend Prelate, for whom he (Mr. F. Buxton) entertained the greatest respect. He had been present on the occasion alluded to, and was extremely sorry to hear expressions fall from the lips of the right reverend Prelate, relative to the treatment of the slaves in the West Indies, which he (Mr. F. Buxton) never could have anticipated that he would have used. The language there used reminded him of what had fallen from Mr. Ellis, a Member of that House, in 1797: that hon. Member suggested, with a view of thwarting the benevolent exertions of Mr. Wilberforce for the abolition of the slave trade, and in which he succeeded for a time, that before any exertions were made, or any steps taken towards this object, the slaves ought to be made Christians. "Why," said that hon. Member, "if you wish to improve the moral condition of the slave, and to prepare him for enjoying the blessings of civilization, why do you not instruct him in the tenets of the Christian religion?" This had its effect at the time, but what had been done in furtherance of this object? He (Mr. F. Buxton) had heard Mr. Ellis, now Lord Seaford, say in the House of Lords, a short time since, that up to 1826 there was hardly one slave in all the colonies that was, strictly speaking, a Christian. These words had made a great impression on him. He had, however, a better authority with respect to the religious instruction that had been imparted to the negro—he alluded to the Bishop of Jamaica—and if ever there was a man prejudiced in favour of the colonists, this was the man; and he said, that in the very heart of his diocese he did not perceive even the semblance of the form of Christian worship. He should shock the House were he to attempt to describe the shameful neglect of all religious instruction in our colonies. The truth was, a most horrid system of intolerance prevailed in all of them; and those who were engaged in the benevolent task of instructing the slave, and in endeavouring to improve his moral condition, by imparting the blessings of religious instruction, had to undergo the most cruel persecutions. There were several instances of the Missionaries having died in consequence of the treatment they experienced. He had a case before him of a Missionary of the name of Grimsdale, who applied to the Magistrates for a license to preach, which those persons illegally refused; notwithstanding this illegal refusal, he preached, and was apprehended and committed to gaol, and the natural consequence was, from the extreme heat of the prison, and from the filthy state in which it was, that he died. Another Missionary, of the name of Whitehouse, was arrested on a charge of preaching without a license, though a license he had, and produced it, and was committed to the same prison—he, however, did not die. Another, Mr. Orton, followed in a few days; then another, Mr. Watkins; and probably the rest of the congregation would have followed, had it not been for the agency of a humane individual, by whom these proceedings were made known to the higher authorities in the island, who immediately declared that the proceedings of the Magistrates were illegal and unjust, and the result was, that the whole of the Magistrates (this Council of Protection) were dismissed by the Government. This, then, was the system of toleration—this was the encouragement given to imparting religious instruction to the slaves. These were not the only cases of shameful persecution which he could mention. He would refer, also, as an illustration of the feelings of the colonists towards those who were anxious to ameliorate the condition of the negro, to the language made use of in the newspapers, advocating the cause of the planters. In one of them the following language was employed:—'In the Irish rebellion of '1798, the Catholic priests, who were 'supposed to be the instigators of it, when 'taken were immediately bound to the 'halberts of the soldiers, and flogged by 'the drummers of the army. On the 'confessions extorted under these circum-'stances, many of them were afterwards 'convicted and executed. Can we, in 'Jamaica, have more delicacy towards the 'vagabonds who are known to have ex-'cited a revolt among our slaves than the 'Generals and officers of rank in the

'British army had towards the Catholic 'priests? We say, let Irish justice prevail, 'and Jamaica may yet flourish.' Again, in another paper, was the following statement:—'When the gallant General '(Picton) was governor of Trinidad, a 'Missionary was brought before him, 'charged with preaching sedition. "Who 'are you," said Picton? "A servant of the 'Lord Jesus Christ, my only Lord and 'Master." "How dare you utter treason to 'my face; take him out and hang him." 'Sir Thomas's orders were seldom disobeyed, and Trinidad has never since 'been cursed with the presence of a Missionary.' In consequence of the atrocious language indulged in by the editors and conductors of these colonial newspapers, a most cruel persecution had been commenced against the Missionaries; and in Jamaica no less than fourteen chapels had been recently destroyed, and the people had been called upon to burn all the chapels in the colonies. And what had been the conduct of the Magistrates? Had they exerted themselves to put a stop to such disgraceful proceedings? He had heard, on undoubted authority, that several Magistrates were present at the destruction of some of these chapels; he had been informed that there were but few; but he had the names of three, which he would read to the House, if it were thought necessary. A Church Union had also been formed, the avowed object of which was, to drive all the Missionaries from the colonies, and to destroy all the chapels. Facts of this kind clearly proved that a most cruel religious persecution was now being carried on in the colonies. If he were not as great an enemy of religious persecution as of slavery itself, he would say, let them go on; for this barbarous treatment of the Missionaries, and this cruel intolerance, would infallibly enlist the feelings of the whole of the people of England against them. He was sorry for the Missionaries who were exposed to this brutal treatment; but he was glad, that the colonists had disclosed their conduct to the world, and had done so much to enlighten the people of England as to the feelings they entertained. They had now demonstrated to all men that preaching, and praying, and worshipping God, were crimes not to be tolerated—offences not to be endured in that Christian country. He had been betrayed into these observations in consequence of what had fallen from the gallant Officer opposite. He knew that a great and rapid change had taken place in men's minds on the subject of slavery. The distress of the planters had excited considerable attention: it was great, but, if deep, it was uniform; and hon. Gentlemen might suppose that, in consequence of peculiar circumstances, the colonists were now more than usually distressed; but during the last sixty or seventy years the same language had been used as at present, and the same complaints made. He would pledge himself to find expressions, used ten, twenty, fifty, seventy years ago, exactly similar to those urged in the present day, and that the complaints of loss, and ruin, and bankruptcy, and the expressions of distress, and the charge of sacrificing the interests of the colonies, were not stronger than those used at that period. He knew these circumstances had had great influence on the minds of intelligent and thinking men; and he was convinced that, from the change that had taken place in the public mind, the time was not distant—if it had not then arrived—when slavery must cease. He would also refer to the opinions which had been expressed by some of the West-Indian body, who had admitted that the time had come, or was close at hand, when it was necessary to consider the best means of attaining the object in view, both with reference to the interests of the masters and the slaves. He did not wish to have a Committee to consider whether slavery were a good or a bad thing, but he was desirous that an inquiry should take place, and that the question should be, the best mode of extinguishing slavery; and on this subject he trusted that he should have the concurrence of the House and the Government. With a view to show that a feeling was growing up in the minds even of the West-Indians themselves, that this system could not last, he would refer to one paragraph of a remonstrance addressed to Lord Goderich, in October last, by the Special Committee of Planters interested in the Crown colonies, in which the object he now proposed was recommended. 'In 'conclusion, your petitioners beg leave 'most respectfully to observe, that it is 'unworthy of the British nation to seek 'the accomplishment of so momentous an 'object as the extinction of slavery, by 'indirect and doubtful methods; and that 'it would be more just towards your petitioners, as well as more honourable to

'Great Britain, to proceed at once to the 'emancipation of the negroes, and, at the 'same time, that Parliament should con'sider what compensation it would be 'equitable and expedient to grant to the 'planters.' He unfeignedly rejoiced to hear such language from a West-Indian body; he did go along with them in protesting against the adoption of any indirect or doubtful measure, and in claiming direct and decided measures for the emancipation of the negro. He was not behindhand with them in wishing to inquire whether any, and, if any, what compensation was equitable and expedient for the planter; but the question of emancipation must come first—the negro, at all events, owed no compensation to the planter. Whatever the Government and the country might owe the planter as a compensation, the negro did not owe the planter anything. Nor was the concluding paragraph the only one in that remonstrance to which he assented. He never heard from the lips of the most zealous abolitionist a doctrine in which he more perfectly agreed than that which was broached in the preceding page:—'It is in vain to expect 'that the deformities of the slave code can 'be cured by any process short of the ex'tinction of the system itself.' This, surely, was not the customary panegyric on slavery: the deformities of the slave code were broadly stated, and we were plainly told, these you must endure, or you must abolish slavery. It was remarkable, and showed what a change even had taken place in the public opinion of the colonies on this subject, that a very short time ago a man was sentenced to be hanged for making use, not of this language, but these sentiments, couched in language far less obnoxious. This expression was found in the private journal of Missionary Smith, at Demerara:—'The evils of slavery 'cannot be mitigated, the system must be 'abolished.' The journal was produced against him on his trial, these words constituted the force of the charge, and he was sentenced to be hanged; but whether taken from the journal of a missionary, or from the more official document, he heartily concurred in the sound truth of the doctrine—namely, that there was one only mode, one solitary expedient for curing the evil of slavery—the abolition of the system itself. He never went further than this; he had never said, that mitigating measures would do no good; he knew the Orders in Council had done good; where they had been introduced they had abated the number of punishments, and diminished the rate of mortality; and their tendency necessarily was, to remove many of the more prominent and palpable brutalities of the system. But there was one essential feature of slavery which no instigating measures could even touch. Slavery was labour extorted by force; wages, the natural motive, were not given, but their place was supplied by the whip. In that House, discussions as to what slavery was, and what it was not, took place frequently; but one thing it was, by the confession of all men—it was labour extorted by force. In the mildest system—in the most ferocious—there was still the same feature; under the most mitigated system, then, slavery was still labour obtained by force; and, if by force, he knew not how it were possible to stop short of that degree of force which was necessary to extort involuntary exertion. A motive there must be; and it came at last to this, inducement or compulsion, wages or the whip. But he would not argue this question; by his favourite West-India authorities it was stated in the following manner—'Domestic jurisdiction and cor'poral punishment are part and parcel of 'the system: they must stand or fall 'together.' They must stand or fall together! This narrowed the question, and all the House had to decide was—shall they stand or shall they fall? These gentlemen had exhibited great candour; they had neither disguised nor palliated the evils of slavery; and, in return, he would willingly make a concession, of which they, too, should know the value. He was not, then, such a bigot, even to his own doctrines, as to deny that it was no slight matter to disturb and remove the relations of society existing in the West Indies. If the evils of slavery were slight—if they affected but few—if they were not intensely felt by any—if, in short, slavery were not an inroad upon man's most inestimable rights (and such an inroad as inevitably destroyed his happiness)—then he admitted, all circumstances considered, all difficulties weighed, it were better to leave these slight and trivial evils to sleep in silence, as they had already done for many a year. But he contended that the evils of slavery were grievous and enormous—grievances of that nature, and degree, and malignity, that there was no warrant for tolerating them, and no alternative but to rid the country of them and the system which engendered them, at whatever price, and through whatever difficulty. He would not enter into a full detail of the evils of slavery; rather than fatigue the House with such an irksome recital, he would trust to the detestation of slavery which every man who heard him must feel. Two or three facts alone he would state. In the first place, the decrease of the slave-population, the excess of deaths above births in the slave colonies. In consequence of some doubts having been expressed on this subject last year, he had taken the trouble to make strict inquiries. He had had a number of these returns, respecting the population of the West Indies, printed and distributed, and challenged contradiction, as to their general accuracy; he saw them in the hands of an hon. Member (Mr. Burge), but till he heard such confutation, he would repeat the fact, that in a climate congenial to the negro constitution, in a soil abundantly fertile, and in a country not ravaged by war, pestilence, or famine; under circumstances so favourable to an increase of population, the population had decreased to the extent of 52,000 in the last eleven years. This simple fact carried with it more conviction to his mind of the intolerable evils of slavery, than would a thousand cases of the most extravagant cruelty: however, there was one fact. The second fact was, the number of stripes inflicted on the slaves. He had reason to believe, that the number of stripes of the cart-whip inflicted upon the slaves in the slave colonies, amounted to upwards of 2,200,000 annually. In the chartered colonies no record was kept; it had been repeatedly asked for, and it had been as repeatedly refused, as every Gentleman knew, who knew anything of the subject. It was one of the points in controversy at this moment, and one of the objections to the Order in Council, that it demanded such a record. He had not then, the best data on which to proceed, and therefore was driven to the necessity of gathering the nearest approximation to the truth which the data he had would admit of; but they were amply sufficient. It appeared by a return from Demerara, that during six months the number of lashes of the cart-whip inflicted on the slaves exceeded 100,000—that was, 200,000 for the year. The learned Gentleman would find the return in p. 28, of No. 262, Parliamentary Papers of 1831. The proportion that the population of Demerara bore to the whole slave-population was known. Assuming, then, that the same proportion of punishments were inflicted in Jamaica and elsewhere as in Demerara, the elements of an arithmetical calculation were obtained, and the result was, that 2,200,000 lashes were annually inflicted. The number of stripes were ascertained from official information—the population the same—and the question, therefore, resolved itself into a rule-of-three sum. If 69,000 slaves required 200,000 lashes, what did 755,000 require? The answer was 2,200,000. He had no doubt, however, that this number was greatly exceeded; for the number of stripes inflicted in the chartered colonies greatly exceeded the number inflicted in the Crown colonies. In Demerara there was an Order in Council; not so in Jamaica. There was a Protector of Slaves in Demerara; there was none in Jamaica. There was an interval between crime and punishment in Demerara; but there was not in Jamaica. The whip was not allowed to be carried into the field in Demerara; but it was in Jamaica. There was a record of every punishment in Demerara; there was not in Jamaica. Every stripe that was inflicted in Demerara, ought to be recorded; but this was never done in Jamaica. But, above all, their females were liable to the lash in Jamaica, but not in Demerara; and it might be presumed, at least, that the number of punishments was as great in a colony where both sexes were lashed, as in one where the females were exempt. From this calculation, then, which was made with great fairness, it appeared that 2,200,000 stripes of the cart-whip were annually inflicted in the slave colonies, without taking into calculation those inflicted on the females. This was only an approximation to the truth. The real facts upon which to argue had been repeatedly asked for and refused; but if they chose to bury the truth in oblivion, had he not a right to argue from the facts that were known to those that were suppressed—from the stripes actually inflicted in a Crown colony, to those which it might be supposed were inflicted in colonies where there was no Order in Council, no Protector, no record of punishments, no interval for passion to subside, where the whip was carried in the field, and where females were liable to be flogged? Let the House recollect that these stripes were inflicted with a cart-whip. He would ask, whether this was a mild and trifling punishment? and, to use the language of an hon. Member, capable indeed of frightening children, but incapable of injuring a man? On this point he would read a statement which he had somewhere seen; it ran thus:—'The cart-whip is a base, cruel, 'debasing instrument of torture—the cart-'whip is the fellow of the rack and the 'thumb-screw. I do not hesitate to say, 'I do not hesitate to declare, that the 'cart-whip is a horrible, detestable instru-'ment when used for the punishment or 'torture of slaves. I do say that thirty-'nine lashes with this horrid instrument 'can be made more grievous than 300 'lashes with the cat.' When and by whom was this statement made? Was it an abolitionist who had never seen slavery, and gathered his notions from the pages of the Anti-slavery Reporter? No; it was a planter eminent for many things, and for none more than his hostility to the doctrines of the abolitionists. And where was this statement delivered? Was it in one of those meetings, described by the hon. member for Haddington, where there was no one to confute it? No; but it was made in the House of Assembly in Jamaica; and there Mr. Barrett, for he was the author, defied and challenged contradiction. If such was the nature of these punishments inflicted on the slaves, he insisted that he had a right to designate the system as most execrable, and to call upon his Majesty's Ministers to grant a Committee, with a view to put a stop to such a system. One fact more—the moral and intellectual degradation of the slave-population. Here he supposed all were agreed. Did any man deny this? He wished the hon. and learned Gentleman (Mr. Burge) would give an answer. He (Mr. F. Buxton) and his party had always urged the moral devastation of slavery, as one of the strongest arguments for its downfall, and their opponents had urged the moral debasement of the negro as an argument for the continuance of slavery. But if he could not get an answer, he would produce a witness. The hon. member for Bramber, in October last, in a letter which he addressed to Lord Goderich, which had been published among the official papers, said—'In England we admi-'nister an oath to those only who under-'stand its nature and obligations. Is 'that the condition of the negro mind? Not 'of one in a thousand.' No comment of his (Mr. F. Buxton's) should spoil the force and the emphasis of this statement. He might, indeed, remind his hon. friend, that in England children of very tender years were considered capable of taking an oath. An oath was administered to the Chinese—to the Hindoo—to the African himself, so long as he was a wild savage; but let him be subjected to our Christian domination, and not one in a thousand understood the nature of an oath. These were his three facts; he had others, and resting on incontrovertible authority, but he would waive them. Slavery already was illustrated in its moral influence, by the universal turpitude of the people; and its humanity illustrated by this multiplicity of punishments, and this waste of human life. And here he should stop, if it were not that another consideration weighed most heavily upon him. Was it certain that the colonies would remain to this country if we were resolved to retain slavery? Did any one doubt that a crisis was coming which would leave them no alternative but an immediate concession of freedom to the slaves, or a dreadful attempt to extort it through the horrors of a servile war? Dreadful as this would be in times of peace, how much more dreadful would it become should the circumstances of Europe require this country to enter into a war with France? He would tell the West-Indian proprietors this—if their trade had been as prosperous as they were now complaining of its being the reverse—if, for the last fifty years, they had been boasting of their gains, instead of lamenting their losses—now would be the time when it would be advisable for them to make terms for the future, without waiting till they were compelled to yield. But there was one consideration which he must press on the attention of the noble Lord. How was the Government prepared to act, in case of a general insurrection of the negroes? War was to be lamented any where, and under any circumstances: but a war against a people struggling for their freedom and their rights, would be the falsest position in which it was possible for England to be placed. And did the noble Lord think that the people out of doors would be content to see their resources exhausted for the purpose of crushing the inalienable rights of mankind? In saying these things, he was not speaking as an enthusiast; he was only repeating the opinion of a very different class of persons. He would refer the House to the sentiments of Mr. Jefferson, the President of the United States. Mr. Jefferson was himself a slave-owner, and full of the prejudices of slave-owners; yet he left this memorable memorial to his country:—'I, indeed, tremble for my country, when 'I remember that God is just, and that 'his justice may not sleep for ever: 'a revolution is among possible events. 'The Almighty has no attribute which 'would side with us in such a struggle.' This was the point that weighed most heavily with him. The Almighty had no attribute that would side with them in such a struggle. A war, with an overwhelming physical force — a war, with a climate fatal to the European constitution—a war, in which the heart of the people of England would lean toward the enemy; it was hazarding all these terrible evils, but all were light and trivial compared with the conviction he felt that, in such a warfare, it was not possible to ask, nor could we dare to expect, the countenance of Heaven. He assured the House he had been discharging a most painful duty, and his endeavour had been to perform it without offence to any body. He begged to move, "That a Select Committee be appointed to consider and report upon the measures which it may be expedient to adopt, for the purpose of effecting the extinction of slavery throughout the British dominions, at the earliest period compatible with the safety of all classes in the colonies."

Mr. *Cresset Pelham* said, that the speech of the hon. member for Weymouth was diametrically opposed to the object he had in view. The sufferings of the slaves had been much exaggerated; and as to religious instruction, he believed that there were more Christians among the blacks than in this metropolis. He remembered having seen a negro woman in England, who was asked to remain, but the idea was revolting to her, and she preferred going back to the West Indies and slavery where her mistress had always treated her with kindness, to remaining in this land of freedom. He thought that the evils which he admitted did exist in the colonies, might be prevented by the residence of the planters on their own estates.

Mr. *Strickland* thought that, with respect to the interests of the proprietors themselves, it would be advisable to adopt the measure recommended by the hon. member for Weymouth, for he was convinced that the safety of the colonies would be endangered unless some measure with a view to emancipation was granted. The Committee moved for by the hon. member for Weymouth was, in his opinion, the best mode of setting about a satisfactory arrangement. He considered it desirable that emancipation should really commence, accompanied, certainly, by proper precautions; but that it should not be further delayed, nor the feelings of the people of England any longer trifled with. He fully admitted, that the West-India interest should be as dear to England as any of the great interests of the empire, but he denied the inference generally drawn from this proposition, and could not sanction the opinion, that the welfare of these interests was identified with the continuance of slavery. He called on the House to assist in effecting the emancipation of the negroes, and he called on the slave-owners themselves to aid in that object, for he was convinced that nothing would so completely secure them in their present possessions as the putting an end to slavery. Let hon. Members suppose, if they could, that the curse of slavery had existed for centuries in one corner of the United Kingdom; he asked them, if such were the case, whether the Legislature would not put it down at once as soon as the horrid deformity was exposed? They should act on the same principle with regard to the negroes, and he called on all of them to unite in one determination to let the oppressed go free.

Mr. *Keith Douglas* must first say, that he thought the hon. member for Weymouth was not justified in having altered the terms of his Motion since he had first given notice of it. How did the question stand now? Certain Resolutions had been passed by that House in 1823, on the recommendation of the Government, and the hon. Member ought to confine himself to a motion that these Resolutions be carried into effect. Yet, instead of doing so, the hon. Member now placed them in the strange predicament of superseding, by the present proposition, the Resolutions that had already been passed, and the Order in Council founded on them. By the course which the hon. Member seemed disposed to take, he would, in fact, be destroying the interests of those persons whom he professed to wish to protect. He denied that the hon. member for Weymouth had fairly stated the case of the degradation of the slaves, or of the mortality that prevailed among them. There were statements of a similar kind published out of doors, and he must take on himself to say, that those who drew up such statements, and presented them to the public, must know that they were stating that which was not accurate. The real cause of the mortality among the negroes was, that the number of men and women was now more nearly approximated, and the consequence was, that more children were born. But this, at all events, he would contend—that even if the hon. Member thought that he was able to show that the mortality arose from other causes, still, as this was at least an undeniable cause, it was exceedingly unjust on his part to have omitted all mention of it, and to have done his best to leave the House in the dark on the subject. In 1807, those who had property in the colonies had authorized the importation of a large number of males, but of very few females. Many of these had grown old and died, and this, in a very considerable degree, accounted for the state of society of which the hon. Gentleman complained. In 1817 there was, it appeared, a great excess of males over females, but in 1827, in many of the colonies, there was an excess of females over males. A perfect exemplification of the position he had just laid down was to be met with in the Island of Barbadoes; for in that island, where the slave trade ceased much earlier than in our other West-India possessions, they were told by the returns, that in ten years there had been an increase of 5,600—the females there greatly exceeding the males in amount. Here again was another point in which the hon. Member had not dealt fairly by the House—for he had taken an average of ten years for making up his returns, which, in fact, in many instances, was calculated to produce a false impression. As a proof of this, he would cite the case of St. Christopher's: by taking the average of ten years there appeared to be a general diminution of the whole; but if the returns of 1825 and 1826 were taken by themselves, by which time the sexes had more nearly approximated, it would be found that there was in those years an increase of nearly 900. The hon. Gentleman complained, too, that nothing had been done to ameliorate the condition of the slaves. Now, how stood that fact? Mr. (now Lord) Brougham had said, that the best thing that could be done for the slaves would be, to establish a system of good slave evidence: and a measure had been introduced for that purpose in Jamaica. The coloured population was also highly favoured; so much so, that he believed two gentlemen of colour were at present members of the House of Assembly. With respect to the two grounds urged by the hon. Member, they did not appear to him to be sufficient to justify the House in assenting to the formation of this Committee. If the House of Commons wished to do anything in furtherance of the Resolutions which were passed in 1823, he should have thought that the right thing would have been to appoint a Committee for the purpose of inquiring how far those Resolutions had been carried into effect, and what amelioration of condition the slave had experienced in consequence. His Majesty's present Ministers had supported those Resolutions when introduced by Mr. Canning, and he trusted that they would consider themselves so far bound by the Resolutions of 1823, as to feel it to be their duty to act up to the spirit of them; and that they would not throw this question as one of agitation on the vain fancies of the country. He trusted, that they would act with that disposition which ought to belong to all governments—viz. that of seeking the preservation of the rights and property of all parties.

Mr. *Macaulay*: After the very extensive view of this subject which has been taken by my hon. friend, I shall not attempt to take a general survey of the subjects of Negro Slavery, but merely confine myself to the question of the decrease of the negro population, the only point of all my hon. friend's argument that the member for Dumfries has ventured to dispute. The hon. Member has not contented himself with charging my hon. friend with a mis-statement, but has actually gone the length of accusing him of having knowingly and wilfully brought forward a system which he was, in his own mind, convinced was incorrect. I beg, however, to say, that I am, in my own mind, most entirely convinced, that the argument of my hon. friend is impregnable. I first say, that this decrease, which the hon. Gentleman atrributes to the inequality of the sexes, is to be found in many islands where the females exceeded the males in number in the year 1817. I next say, that in St. Christopher's, which is the island selected by the hon. Member himself, the women, in 1817, exceeded the men in numbers. To be sure, the hon. Gentleman has talked about the sexes approximating in 1825 and 1826; but if this means anything, it means that the women diminished in number, for it cannot be otherwise explained. It is true that, in Barbadoes, the black population has increased, which circumstance the hon. Gentleman may attribute to what he calls the approximation of the sexes, if he pleases, but which I attribute to the cultivation of sugar being little practised in that island. But, Sir, there are some colonies in which the number of the men exceeds that of the women, such, for instance, are Berbice, Demerara, and Trinidad; and there we find, not only that there is a total decrease, but even a decrease in the number of the females. I say, that this fact reduces the whole matter to irresistible demonstration; for if he be correct, and if the men exceed the women, the worst that could happen would be, that the islands would be in as bad a situation as if the men were reduced to the number of the women, and the two sexes made equal. But if we look to those colonies, we shall find that there is a decrease in the women as well as in the men; and, therefore, again I say, that it is clear to demonstration, that the decrease in the slave-population cannot arise from this ill assortment of the sexes, as argued by the hon. Gentleman. But the hon. Gentleman seems to think that he has done enough when he has made out, as he supposes, that no decrease has taken place; but I contend that, not only should there be no decrease, but that there should be a most rapid and striking increase. The negro population in the West Indies are placed in a situation admirably suited to their nature and disposition; the produce of the land is all-prolific—the bright and vivid sky is favourable to their African constitutions—they have a great extent of rich virgin soil ready to pour forth its gifts, with but little labour, into their hands. This, therefore, ought, to them, to be the golden age of existence; it ought to be their age of easy life, smiling children, and happy wives; it ought to be their age of high wages, full meals, light work, early marriages, and numerous families. But is it so? Alas, Sir, no; a blight is on them, and they drag on a weary, burthensome existence, darkened by despair, and uncheered by a single ray of hope. Let us look at the result of the same advantages in other countries. How is it in New South Wales? There the population is made up of convicts and prostitutes; and yet, in spite of that deterioration—in spite of the inequality of the sexes—we see that colony daily increasing, with every probability of these convicts becoming the patriarchs of a mighty empire. We all know the origin of the United States; we all know that they were originally peopled by the refuse of European society. And how is it with them? The population there has gone on swelling and swelling, like an irresistible torrent; the people have multiplied, till at length, in whole tribes, they have poured themselves across the mountains of Alleghany, the streams of Ohio, and the plains of the Arkansas. Year after year the woods and the forests, the fortresses of nature, have been receding before the advancing tide of human beings; and, year after year, mankind has shown, by its multiplication, that, under favourable circumstances, its tendency is to fulfil the immutable law of nature. Why, then, does not the same rule apply to those colonies? Why is all America teeming with life, and why are the West Indies becoming desolate? Sir, that our colonies should decrease in so rapid a manner is to me one of the most appalling facts in the history of the world. In the worst governed state of Europe—in the worst managed condition of society—the people still increase. Look, for instance, at the miserable population of Ireland—at the oppressed serfs of Russia—look eve at the slave-population of America, or that of our own colonies where sugar is not cultivated. In the Bermudas and the Bahamas, where no sugar is manufactured, the population goes on increasing; but when we come to the sugar islands, the ordinary law of nature is inverted, and, in proportion to the exuberance of the soil, is the curse of suffering and of death. In these islands, which are subject to one eternal reign of terror, human life flickers and goes out like a candle in a mephitic atmosphere. What the Spaniards did on the continent for gold, we are doing in the islands for sugar. Let me remind the

House of what Mr. Fox said on this subject. No one will deny that, perhaps, of all our statesmen, Mr. Fox was the most ardent for political liberty, and yet his observation on this question was, that all political liberty was but as a mere nothing compared with personal liberty. I shall give my best support to the Motion of my hon. friend. I shall do so, because I feel that this continued waste of life, without example and without parallel, is a foul blot to this country, and because I hope that the adoption of this Resolution may remove it.

Sir *Robert Peel* said, notwithstanding the eloquent speech of the hon. Gentleman, and notwithstanding his sincerity in this cause, he had not touched any one of the points that constituted the real difficulties of the case. The hon. Member admitted that we must not form our judgment from individual instances of cruelty or abuse, and he deeply regretted that so wise a precept was not uniformly acted upon; for he never heard a debate on that subject in which there was not an attempt made to rouse the passions of the audience by referring to individual cases. The hon. Gentleman said, that the system of slavery was an abominable system, and that the gradual decrease of life among the blacks was a sufficient proof that slavery had a tendency to shorten the average duration of human existence. But, supposing these two points admitted, the hon. Member must concede that, unless he was prepared with some rational plan by which this great evil could be abated, it was vain to indulge in general, though eloquent, denunciations against a mischief, the magnitude of which was not denied. Surely the events which had recently taken place in the West Indies—the insurrection scarcely yet suppressed in Jamaica—must impress on the minds of all, the danger of laying down precise rules for the government of a people, thousands of miles away from us, in ignorance of the events that may have occurred, and have rendered our rules utterly inapplicable to a new state of affairs. This consideration ought to impose on the House the duty of acting with the greatest caution and deliberation, in any thing that might interfere with the present relative position of the planters and the slaves. To excite the latter to resistance by incautious language and false hopes, and then to employ infantry and artillery in sweeping them from the face of the earth as rebels against the authority of the law, was an act of injustice, both to the whites and the blacks, even greater than the slavery which was so generally and justly deplored. The Resolution now proposed might be liable to misconstruction, and produce the result to which he had alluded. Should that happen—should the slaves, deceived as to our intentions, refuse obedience to their masters—every one would admit, that the authority of the law must be vindicated, and that the Government would have no alternative but the recourse to force to put down any sudden insurrection. Mercy towards the slave ought to plead powerfully against any proceeding pregnant with such consequences. He deeply lamented the course that the hon. member for Weymouth had taken, and that he did not sooner make up his mind as to the nature of his Motion. The hon. Member had given the House notice of the terms of his Motion. and he, for one, came down to the House expecting that the hon. Member would adhere to his own notice: the hon. Member, however, had materially varied those terms, though, perhaps, he would not allow that the substance was altered. The Resolution moved by him affirmed that it was the duty of the Legislature to put an end to the existence of slavery throughout the possessions of Great Britain. But if the House once agreed to that position, without qualification, how could they hope to enforce the law during that period which must elapse before slavery could be practically and universally abolished? Was the hon. Gentleman aware that the course he was pursuing was precisely in conformity with that adopted by the National Convention of France? The Convention took a similar step for the purpose of inducing the slaves of St. Domingo to unite with the French forces in repelling the English. They decreed the extinction of slavery, but postponed indefinitely the consideration of the mode by which that extinction was to be effected. The coincidence between their plan and the Resolution of the hon. Gentleman, if it were accidental, was certainly very extraordinary. The hon. Gentleman's Resolution, according to the notice he had given, was—'That 'it is the duty of the British Legislature 'to put an end to the existence of slavery 'throughout the dominions of Great Britain: that a Select Committee be appointed to consider and report upon the 'safest and speediest mode of effecting the 'extinction of slavery throughout the British colonies.' The Resolution of the National Convention was as follows :—'The 'National Convention declares, that negro slavery, in all the colonies of 'France, is abolished. In consequence 'it declares, that all men, without distinction of colour, domiciled within 'those colonies, are French citizens, 'and capable of enjoying all the rights 'assigned by the Constitution.' That was the first Resolution; the second was this—'It refers to the Committee of Public 'Safety, to make an immediate report of 'the measures that ought to be taken to 'secure the speedy execution of this Resolution.' These Resolutions bore date on the 5th February, 1794. The course pursued by the hon. Member was precisely similar—he denounced slavery, and decreed its instant extinction as an imperative duty, but did not hint at the mode by which his principle was to be carried into effect. It was most important, before the debate proceeded, that the Ministers should state to the House the course which they proposed to pursue. Every Member must recollect the Resolutions of 1823; and he apprehended that the country stood at present in this position as to the colonies :—the present Ministry, since their accession to office, had framed certain Orders in Council, which they determined to enforce in the Crown colonies; and they had signified to those colonies which have independent legislative assemblies, that those Orders in Council must be accepted by them, without qualification, on the penalty of not being allowed to benefit by the reduction of the sugar duties about to be proposed. Up to the 14th of March, 1832, the House had every reason to presume that the Government was determined to enforce this arrangement; and it was, therefore, important for the House to be apprized if there were any change in the intentions of Government. If the Ministers adopted the Resolutions of the hon. Gentleman, that, of itself, necessarily superseded their former intentions. He had no desire to taunt the Ministers with abandoning any declarations they might have made; and if they found the state of society in the West Indies such as to make it inexpedient for them to enforce their instructions, he trusted they would have the manliness to act on any new information they might have acquired, and not risk the safety of the colonies through feelings of false shame. Within the last two months, an important event had occurred, closely connected with the subject. A Committee had been appointed in the House of Lords, with the concurrence of the King's Government—'To inquire into the laws and usages of the 'several West-India colonies, in relation 'to the slave population; the actual condition and treatment of the slaves, their 'habits and dispositions; the means which 'are adopted in the several colonies for 'their progressive improvement and civilization, and the degree of improvement and 'civilization which they have at present 'attained; and also to inquire into the 'distressed condition of those colonies.' To adopt the hon. Gentleman's Resolution, therefore, would be as inconsistent with the appointment of the Lords' Committee, as with the Ministerial Orders in Council. If the Government had come to a conclusion that slavery ought to be forthwith extinguished, and if they saw the means of extinguishing it, consistently with the well-being of the slaves, the rights of colonial property, and the future safety of both classes of the West-Indian community, he earnestly implored them to take the question into their own hands. There must be matters of detail requiring consideration, though the principle might appear to them so clear as to be irresistible. But, at all events, appoint no Committee in pursuance of this Resolution, for that would be, of all courses, the least calculated to effect any satisfactory adjustment. If the hon. Gentleman's Committee were fairly constituted, it must consist of partizans on both sides; and then what chance would there be of any amicable arrangement? In what mode the immediate extinction of slavery was to be accomplished, he did not see. How they were to secure the future well-being of all parties—how to provide for the future support of the blacks—what chance there was of immediately substituting free labour for slave labour—were all questions to which the most serious consideration must be given, before he could consent to affirm, that slavery ought to be at once abolished. He repeated, that if the Ministers saw any prospect of being able to extinguish slavery, they should take the question into their own hands. If they could bring forward a plan for the purpose next year, so short a delay would be of no consequence, compared to the chance of being able to effect so great an object, consistently with the well-being of all classes of society, and consistently with those rights of property which they were all determined to respect. If there were details not yet perfected—if there were inquiries still to be made—let them make such inquiries by means of Committees of their own body, or of the Privy Council; but let them not adopt a resolution in favour of an abstract principle, without having considered any one of the details by which alone it could be carried into effect. The passing of such a Resolution might lead to a misconstruction of the intentions of the Government, both by the whites and by the blacks; might widen the gulf which at present existed between them; might make the slaves still more impatient of slavery; might, by the excitement of false hopes, encourage them to resistance, and leave us no alternative but again to put them down by physical force, and delay the time for giving them, with any prospect of safety or advantage, the blessing of freedom. He trusted, that he had used no intemperate language; he had not spoken from any party or political considerations, or from a wish to throw the slightest impediment in the way of the Ministers adopting that course which would enable them to effect a satisfactory settlement of this most difficult question.

Lord *Althorp* said, that if his hon. friend (Mr. Buxton) had advanced an abstract proposition, that slavery should be abolished, unaccompanied by anything else, then he should agree with the right hon. Baronet, that it would be highly objectionable; but that was not the case. The Resolution went on to call for the appointment of a Committee to inquire into the safest and speediest mode of extinguishing slavery; this was not at all at variance with the Resolutions of 1823. Those resolutions were adopted by the House at that time, with the avowed object of extinguishing slavery, when that object could be properly and prudently effected. The present Motion, therefore, was not inconsistent with the proceedings which the House had hitherto adopted on the subject, it being the object of the House to consider how, and by what means, slavery could safely be abolished. The object of the resolutions of 1823 was the amelioration of the slave, and such, in this instance, would be the object of inquiry in the Committee. Where, then, was the inconsistency? There was a Committee appointed in the House of Lords to investigate this subject, with the acquiescence of his Majesty's Government; and they had acquiesced in that Committee, because they were assured that its labours would be directed to the consideration of the best mode of ameliorating the condition of the slave. Now, as their Lordships had a Committee, he thought that, so far from being an objection, was an argument in support of the appointment of a Committee of the House of Commons. The resolution of the House of Lords set forth, that an inquiry should be made into the best mode of ameliorating the condition of the slave, with "a due consideration of the interests of all parties." The present Resolution certainly did not contain that provision; but, looking to the speech of his hon. friend, and of all those who had taken that side of the question, he was convinced, that due consideration would be given to those interests. He would not pledge himself to any immediate abolition of slavery, because he did not think that the slave-population was in a situation to receive that boon beneficially for themselves; but he thought that the Legislature might employ itself most usefully in bringing the slaves to such a state of moral feeling as would be suitable to the proposed alteration in their condition. They would thus be performing an important duty, and achieving that which was due to humanity and justice. He could not see any objection to the insertion of some words in the Resolution, requiring the Committee to take into consideration the interests of the whole inhabitants of the colonies; and he could not see how his hon. friend, the member for Weymouth, could object to them, as he admitted that the colonists would have a fair claim to compensation if they should be injured by any measures which should be taken for the abolition of slavery. It was most desirable that, upon a question such as this, as little difference should prevail as possible; and if his hon. friend would agree to the insertion of the words suggested in his Resolution, his doing so would conciliate all parties to the appointment of the Committee.

Sir *George Murray* admitted, that there could be nothing more deplorable than the existence of slavery, and that there could be nothing more desirable than its abolition; but, at the same time, he would contend, that whatever measures should be adopted for the purpose of changing the condition of the population of the West Indies from that of slaves to that of freemen, should be taken with the greatest caution, prudence, and deliberation. It appeared to him, that the best course to pursue was, to keep such a question as this as much as possible in the hands of the Government. If the Government proceeded too slowly, the House might quicken its diligence; and if the Government found that it had not sufficient power, the House was there, to which it could apply for greater powers. He conceived that, if the Ministers were sincere—and he had no doubt that they were—in their desire to put an end to slavery, they would adopt measures for that purpose, in due accordance with the safety of all existing interests in the West-Indies; and, for his part, he thought that there could be nothing more imprudent or dangerous than to take such a matter out of the hands of the Government, and put it into the hands of the House of Commons. A Committee on the state of the West Indies had been already appointed in the Lords, and he did not see why a Committee on the same subject should be appointed in this House on directly different principles. They possessed sufficient information as to the existence of slavery to proceed with the abolition of it with caution and prudence. He thought it would be most imprudent, in the present state of the West Indies, to come to such a resolution as that proposed by the hon. Member, and that its adoption by that House might be productive of the most dangerous consequences in those colonies. On these grounds he should oppose it, at the same time that he should be most anxious to see that most desirable object, the utter extinction of slavery, effected, whenever it could be effected with safety to the persons and properties of the West-India proprietors. The interference of the House was more likely to retard and frustrate that object than to promote it. When he had the honour of holding office, the duty which, of all others, he felt to be most imperative upon him was, to resist the temptation which was naturally held out to every man of humanity to proceed without, perhaps, sufficient deliberation, to the extinction of a system so abhorrent to all our notions of freedom, and to proceed with that caution and circumspection, which a due regard to all the interests concerned in this great question demanded.

Mr. *Fowell Buxton* said, that he had deliberately considered the suggestion to which his noble friend (Lord Althorp) had drawn his attention, and that, upon mature conviction, he was determined to oppose the introduction of the words proposed. He should divide the House, even if alone, on the point.

Lord *Howick* expressed the gratification with which he had listened to the manly and honest declaration of the right hon. and gallant Officer (Sir George Murray) as to the necessity of the utter extinction of slavery, a sentiment in which he cordially concurred, and which was the more refreshing after the speech of the right hon. Baronet (Sir Robert Peel), from which it was impossible to gather whether or not he was opposed to the permanent continuance of slavery. That right hon. and gallant Officer looked to the ultimate extinction of slavery; and he should despise himself and the House if he and it should look to anything else but the extinction of slavery. At the same time, he was ready to allow, that the extinction must be begun gradually and temperately. He did not think that it would be impossible, after due consideration, to devise a system for the abolition of slavery, in which both the hon. member for Weymouth and those connected with the West Indies would concur. He agreed with the right hon. Gentleman in thinking that this matter should as much as possible be kept in the hands of the Government. The Government had acted upon that principle; but the difficulties with which it had to contend in this instance were to be attributed to that system of delay to which all the other difficulties which they had to meet were to be attributed. In 1823, when the passions were not excited so much as they were now, a settlement of this question was practicable, but the right hon. Baronet opposite and his colleagues then shrank from the responsibility of effecting such a settlement, and that was the true source of the difficulties with which the present Government had to contend in dealing with this question. The right hon. Baronet disclaimed being actuated by the spirit of party on this subject, but he had certainly been under the influence of a stationary spirit with regard to it. While on the Treasury bench he was alive to the difficulties which surrounded the question; but when he got to the opposite side of the House, in this as on other questions, he was ready to start objections to the course of Government. The right hon. Baronet had pursued the same course with regard to Slavery that he had pursued with regard to Reform and the Catholic Question. Did the right hon. Baronet not recollect the strong language he used in 1827, in opposing Mr. Canning's accession to office, because that Minister would carry the Catholic Question; and did not the right hon. Baronet remember how well two years afterwards, he had refuted the arguments he had before advanced? The course the right hon. Baronet then pursued he was pursuing now in relation to slavery. The right hon. Baronet was a waiter upon time, and he left to others to clear the road of all the difficulties that might beset it. The Order in Council which had been issued by his Majesty's Ministers was founded upon precisely the same principles as those Orders in Council to which the right hon. Baronet had been a party. After eight years of discussion, it would have been mere trifling on the part of the Government to have asked the legislative colonies to adopt the resolutions of 1823, without coming forward with some measure to induce them to do so. He hoped that the appointment of this Committee would lead to a favourable result, and he could not see, that the appointment of it was at all likely to supersede the Order in Council. The result of the labours of the Committee, he trusted would be, to advise the legislative colonies to adopt the Order in Council, and to devise better and more effectual means for putting an end to slavery. The measures which had been taken in the Crown colonies for the amelioration of the condition of the slaves had been productive of the best effects as was proved by the alteration in the rate of mortality among the slave-population of those islands. In the debate of last year, the speech of the hon. member for Weymouth made such an impression upon him that in order to ascertain more clearly the effect of the measures which had been adopted, he caused returns to be made of the comparative progress of the population before and after those measures. In Guiana, Trinidad, and St. Lucia, the three Crown colonies in the West Indies, a great and decided difference had become apparent in the mortality of the slave-population. In St. Lucia there were, in the year 1819, 6,800 males and 8,200 females. In the six years ending the 1st of January 1825, there was an apparent decrease in the slave-population, arising from the excess of the deaths over the births, amounting to 702. In the three years following there was an increase of the births above the deaths of 227. So that during the period of unmitigated slavery there was an annual loss of slave life of 117 per annum, or eight in every thousand, while in three years of the improved system there was an increase of seventy-six in each year, or about five and a half in every thousand. Now, on the other hand, what was the case in the chartered colonies? In Jamaica, during the six years to which he had referred, there was a positive decrease of 8,436, being an annual waste of life amounting to 1,406, or about four and one-sixth in every thousand, while in the three years, during which such an improvement had taken place in St. Lucia, there was in Jamaica a positive decrease of 7,299, about seven and a half in a thousand, so that the decrease was not very far from being doubled. That statement afforded a proof of the good effects which had followed from the measures taken for the ameliorating the condition of the slaves—measures which had been taken with as much caution and prudence as the most timid amongst the West-Indian body could desire, and he trusted that the Committee which would be now appointed might devise some means by which the certain, though not, perhaps, early extinction of slavery might be effected.

Sir *Robert Peel* said, that the noble Lord had taken an ungenerous advantage of his having spoken; and had made an attack which the noble Lord well knew he had not the power, consistently with the forms of the House, to repel. He certainly did not expect that, in a discussion on the question of slavery, his conduct in 1827, and in 1829, in relation to the Catholics, should be brought before the House. The noble Lord, without attacking him, had quite enough to do to defend the colonial policy of the Government [*cries of "spoke!"*] As the House would not allow him to enter into the subject, he would confine himself to explanation. He never had objected to the Order in Council, but he had expressed his surprise, that the noble Lord, after being six months in office, should have publicly spoken of an Order in Council, which he said was not matured, but yet which must be adopted to the letter by the independent legislature of each colony. He had never objected to the extinction of slavery, but he had said, that for the Government to assent to resolutions that slavery ought to be abolished, without first providing the means by which they could be carried into effect, was likely to be productive of frightful calamities, which every man of humanity must shudder to contemplate.

Lord *Sandon* objected to requiring the colonists to adopt resolutions which the House itself was ready to break. He felt it his duty to move an amendment to the Motion of the hon. member for Weymouth namely that in his resolution, after the word "safety," there should be inserted the words "of the interests of all parties concerned;" and that at the end of the resolution, the following words should be inserted:—"And in conformity with the resolutions of the 15th of May, 1823." He had in his possession at present a petition from a great body of his constituents —from men of all interests, East-Indian, West-Indian, and North-American—praying that the House would appoint a Committee to inquire into the subject before it adopted any sudden measure with regard to the West Indies. He trusted, that the principle of conciliation would be adopted on all sides. In proposing his amendment which he should feel it his duty to press on the House, he must declare himself a warm friend to the improvement of the condition of the slaves, though he had never been an abolitionist, and had always taken care to keep clear of the abolitionists. He thought they were actuated by too much party zeal, and that their conduct was as often dictated by animosity to the planters as by charity to the slaves, and he wished not to be implicated in their proceedings. He knew that nothing was more difficult than to make slaves fit to receive the benefits of freedom. The Greeks and the South Americans were both examples of this fact. The noble Lord concluded by moving his Amendment.

Lord *Althorp* said, that he had suggested to the hon. member for Weymouth the propriety of adding some such words at the end of the resolutions. He thought it was more desirable that that hon. Gentleman should propose the introduction of such words; but that not being the case, it appeared to him that it would be expedient to add at the end of the resolutions, the words "and in conformity with the resolutions of the House, of May 15, 1823." After the House had so often recommended the gradual, but ultimate, emancipation of the slaves, he did not see how it was possible, consistently with their former declarations, or with resolutions which had stood so long on their Journals, to enter into any question of the advantages which slavery had produced to the West-India colonists, although at the same time he had no hesitation in declaring, that he was totally opposed to the adoption of any steps for the sudden emancipation of the slave-population. In conformity, therefore, to the view which he took of the Motion of the hon. member for Weymouth, he should not deem it necessary to oppose it, but simply to propose, as an amendment on the original question, with the noble Lord's (Lord Sandon) leave, that there be added to the Motion the following words, "and in conformity to the resolutions of this House of the 15th of May, 1823."

Sir *Robert Peel* thought that some words implying that the interests of the planters should be protected ought to be introduced into the resolution.

Lord Sandon was understood to acquiesce in Lord Althorp's proposition.

The Speaker put the original question together with the amendment.

Sir *Charles Wetherell* said, that he felt it necessary to vindicate his right hon. friend near him, and those who acted with him on the question of Catholic Emancipation, from one of the most extraordinary attacks which under the circumstances of the case, he had ever heard made upon a public man. He thought that a more conciliatory speech than that delivered by his right hon. friend could not easily be imagined; nevertheless, it had called from the noble Under Secretary for the Colonies a speech, than which anything more insulting, more provoking, more unstatesmanlike, had never fallen from a gentleman holding an official situation, whether young in office or old in office. The noble Lord had laboured, with no very great portion of success, to convert the motion of the hon. member for Weymouth to the purposes of his party—and he had endeavoured with great earnestness to mix up the question of the Abolition of Slavery with that of Catholic Emancipation, and to link it in the same car with Reform. Now, the noble Lord, in pursuing this course, had shown a total disregard to that mutual understanding, which, he (Sir Charles Wetherell) fully believed had been entered into on both sides, to avoid the introduction of all irritating and party topics whilst discussing the momentous question which was then before the House. The noble Lord was, however, not peculiarly happy in his attempts to excite other feelings than those of unanimity; his course, it must be acknowledged, was the reverse of pouring oil upon the angry waters. The noble Lord had not been long in office, and therefore he would take the liberty of advising him, the next time the question of slavery was introduced, and there appeared a disposition on both sides of the House to proceed *pari passu*, not, as far as he was concerned, to let any thing occur on the part of the Government, to prevent the question from having a safe and easy passage. The noble Lord said, that his right hon. friend was a standing-still man. Now, he thought that the noble Lord was a man of the Movement. If his right hon. friend stood still, he was sure that the colonists would not stand stlil when they heard the noble Lord's language. If ever there was an incentive to the colonies to throw off their allegiance it was to be found in the insulting, and provoking speech of the noble Under Secretary. It was evidently the intention of the noble Lord to put a construction upon the proceedings of the House which the noble Chancellor of the Exchequer and the noble member for Liverpool deprecated. When the noble Lord attacked his right hon. friend for standing still, he begged him to take care that he did not proceed too fast, for he (Sir Charles Wetherell) did not hesitate to assert, that in the present state of the West Indies, a declaration of the House of Commons in favour of unqualified emancipation would be the signal for revolt. The noble Lord was not correct in his history, when he asserted, that all the Cabinets which had existed since Mr. Canning's had stood still upon the question of emancipation. That was not the case. Considerable advances had been made towards carrying into effect the resolutions of 1823; and if the noble Lord would refer to the office in which he held a situation, he would find that the question of emancipation had not stood still, but had been advanced by different Secretaries with a *bona fide* progression, and with as much expedition as was compatible with the cautious course recommended by Mr. Canning's resolutions. The motion had been seconded in a speech which he would not call the movement of sedition, but the movement of eloquence. The proposition of the hon. and learned seconder was this—that because slavery was abhorrent to religion and the British Constitution, it ought therefore, to be immediately abolished. That, however, was a fallacy. Others regulated the principle by historical experience, which proved that no instantaneous transition from slavery to freedom could be effected without producing mischiefs which would nearly counterbalance the blessing of liberty. The amendment had introduced into the orginal proposition a qualification of a very valuable nature—namely, that emancipation was not to be carried into effect at any particular time, but only when it could be done consistently with the safety and the interests of the persons connected with the West Indies. The noble Lord correctly and properly stated, that though the motion, as amended, did not in terms pledge the Government to grant compensation to the planters, yet it admitted the principle of compensation. He was much disposed to think that it would have been better had the question been left in the hands of Government, instead of being placed in those of a Committee. There was reason to fear that a Committee would not exercise sufficient caution in the consideration of this most important and delicate subject. The noble Lord (the Chancellor of the Exchequer) had not joined in the taunts which his noble colleague had thrown out against those whom he accused of standing still, but he nevertheless approved of the appointment of a Committee. Upon that point he disagreed with the noble Lord, but he entirely approved of the amendment which he had proposed, pledging the House not to authorize any attempts at sudden emancipation, but only a course of proceeding in conformity with the resolutions of Mr. Canning. With all due deference to the abolitionist party—to the piety or saintship of one class, the eloquence of another and the eagerness of a third—

it was his opinion that the idea of the immediate emancipation of the slave-population of the West-India colonies was an absurdity. He trusted the Government of this country would never sanction a course of conduct with respect to the colonies, which would operate like the famous proclamation of the French Convention, in which they proclaimed freedom to all the slaves of the colonies. He was certainly as willing as any person to abolish slavery, but he would not do so at the cost of the destruction of life and property. The question of emancipation involved not only the manumission of the slaves, but a consideration of the interests of the great branches of trade which had grown out of the system of slavery. As it appeared to be the wish of the House not to divide, he hoped that the hon. member for Weymouth would be induced to agree to the amendment proposed. The hon. Member at first seemed disinclined to allow his motion to be modified at all. In the cant phrase of the day, he would have emancipation, instant emancipation, and nothing but emancipation. If the hon. Member's wishes were carried into effect, our colonies would exhibit a scene of horror similar to that which the French colonies presented at the commencement of the revolution. He should not have risen but for the purpose of vindicating his right hon. friend from the furious and unjust attack of the noble Lord, and he would conclude by expressing his determination to give his support to the amendment.

Mr. *Hume* observed, that if ever there was a question of a public nature which ought to be discussed in a temperate and kindly feeling, and with an entire exemption from all irritating party topics, it was that which was the subject of consideration that evening. It was for this reason, that he had listened to observations which seemed to him to spring more from heat of temper than coolness of debate. If the House was really sincere—if they were really anxious to wipe off the stigma which attached to Great Britain for maintaining her slave establishments in the West Indies—the present was the time at which to do so. The introduction of irritating topics and personal acrimony was the likely way to induce the planters to entertain the same feelings; and the amelioration of the condition of the slaves would be thus retarded, instead of being hastened, by their discussions. He felt happy to see the noble Lord (the Chancellor of the Exchequer) determined to keep the resolutions of 1823 in mind. The Committee which it was proposed to appoint was in perfect accordance with the spirit of those resolutions; and it was also in perfect conformity to the expressed intention of those resolutions, to do nothing inconsistent with the safety of the colonies or the interests of the planters; for no one who was acquainted with their purport was uninformed of the fact that such was their special recommendation in the concluding paragraph, and the addition of the amendment of the noble Lord to the present motion would attach that same recommendation, to keep in view the safety of the colonies and the interests of the planters, to the Committee which it was sought to appoint; and he should be glad if the hon. member for Weymouth would inform him upon what grounds he objected to the consideration of the planters' interests. When the hon. Member read to the House the paragraph from the Demerara papers—a statement, by the way, by which he declared he was ready to be bound to the House—he totally omitted to read one part, which would be found to have a material effect upon the preceding statement. The declaration to which he alluded was that of a conviction in the minds of the planters that it was unworthy of the British Government to seek to emancipate their slaves by indirect means; and they, therefore, were certain that the Government would deem it more honourable for them to procure the liberation of the slave-population by open means, than to resort to any underhand proceedings to effect their purpose. Now, what was meant by this, but that the abolition of slavery was considered to be a measure which it was better to effect openly, and with a due regard to the interests of the planters, and wherein was this inconsistent with the resolutions of the House of Commons of 1823? Before the question was brought forward by the hon. Member, he had taken an opportunity of asking the hon. Member whether he intended his motion to comprise any provision having regard to the interests of the slave-owners. To this question the hon. Member replied that he did not intend such a provision to form part of his motion, but that it was his intention to urge the Government to make them some compensation. He believed that the condition of the slaves had been considerably ameliorated in consequence of the resolutions passed in 1823, though he lamented to hear the statement of the hon. member for Weymouth as to the extent to which punishment was carried, knowing as he did, that there was good ground for it. He deplored the existence of the flogging, but there was no reasoning upon the subject. Experience proved the impossibility of a state of slavery existing without some means of compelling labour. What was the ground upon which military flogging in free-states, and applied to free men, was defended? Necessity. He denied the existence of the necessity; but if flogging in the case of free men could find advocates on the plea of necessity, how was it possible to dispense with corporal punishment in the case of slaves? The hon. member for Weymouth properly defined slavery when he said, that it was a system which insured the proprietor the labour of his slave. In discussing the question of slavery, it was advisable to discard all topics of an irritating nature, and to have in view the amelioration of the condition of the slaves, in all their measures, as much as possible. He thought it quite possible that measures might be adopted for the ultimate abolition of slavery, agreeably to the resolutions of the House, consistently with the welfare of the slaves, and the interests of the proprietors. He would not yield to the hon. member for Weymouth in a desire to see the slave-population free; but he thought that they would not consult either the happiness of the slaves, or the interest of the proprietor by immediate emancipation. Slavery was an evil which had unfortunately grown up under laws which we had sanctioned, and practices long continued. The wise course was, not to consider slavery as an abstract question, but to look at it as it existed under these circumstances, and reflect whether any sudden change was likely to prove beneficial either to the slaves or their masters. Admitting the decrease of the slave-population as stated by the hon. member for Weymouth, it by no means followed, that this decrease was the consequence of a state of slavery. It might be accounted for by other circumstances. He was informed that there were special reasons for the decrease in Demerara, to which the hon. Member particularly referred. It appeared, by the same returns from which the hon. Member quoted, that in Barbadoes, which produced 220,000 cwt. of sugar, and was, in fact, fourth or fifth in the list of sugar plantations, the slave-population had increased by 9,000 or 10,000 during the same period in which the population of Demerara had decreased 10,000 or 12,000. Results so different under apparently the same circumstances required another explanation than that which the hon. member for Weymouth had given. It had been stated in evidence before a Committee of the House, that the decrease of population in Demerara had been gradually diminishing from 1825 up to the present moment, and that now there was no decrease at all. This was a point of the utmost importance, to which the attention of the Committee should be specially directed. The witness to whose evidence he had alluded, stated that the time would soon arrive when there would be an increase of the slave-population in Demerara. This evidence, which was that of a person perfectly conversant with the subject, was in flat contradiction to the statement of the hon. member for Weymouth. At all events, it proved, that further inquiry was necessary before the House adopted the views of the hon. Member. The most prudent course which the House could pursue was, to adopt the amendment proposed by the noble Lord, which was in strict conformity with the principles which had been confirmed again and again in that House. In the present state of the colonies nothing should be done which was calculated to excite irritation. If the resolutions of the hon. member for Weymouth should be carried, they would produce a feeling amongst the colonists which would render them indisposed to adopt any measures recommended by this country. It must be evident to the colonists that there existed an overwhelming desire on the part of the people of England that throughout the British possessions every man should be free; and he believed that they would yield to that desire; but again he would repeat, that the work of emancipation must be gradual, in order to ensure the happiness of the slaves and the interests of the planters, and of the country.

Mr. *Gally Knight* said, it was impossible for any man to feel a stronger desire than he did for the abolition of slavery; and he was quite prepared to say, that if the House were any longer to delay to take the question into its own hands, it would neither appear to be influenced by the dictates of humanity, nor fairly express the strong and declared opinions of the nation, which its Members represented. To arrive at the complete extinction of slavery must be the great end and aim of all their proceedings, and this great object must no longer be left to the tender mercies of colonial legislatures. In the words of Mr. Canning,—'Trust not the masters of slaves 'in what concerns legislation for slavery; 'let the British House of Commons do 'their part themselves; and let the evil be 'remedied by an assembly of free men, 'and the Government of a free people.' The obstinate resistance of the colonial assemblies, the resistance of the planters, the resistance of the proprietary body, in opposition to the voice of humanity, in opposition to the voice of the British nation—all this resistance only made it the more necessary for that House to interfere. Nine years had passed away in vain exhortation on the part of the mother-country, and stubborn resistance on the part of the colonies, and nothing effectual had been done. In 1832 the slave question was nearly in the same position as in 1823. Out of many regulations which the colonial assemblies had been repeatedly urged to confirm, one island might have adopted one regulation, and another island another, but none of the colonial legislatures had adopted all. Scarcely a statute had been passed which carried within itself a reasonable security for the faithful execution of its provisions; and so little had the spirit of colonial legislation been changed, that, only last year, the House of Assembly in Jamaica rejected, by a large majority, a proposition for the discontinuance of the flogging of females. If the unremitted efforts of nine successive years—if the declared sentiments of the great men of all parties—if the unanimous wish of the British nation—if the dictates of humanity, and the dictates of prudence, had no effect on the colonial legislatures, to what opinion must the House come at last? Every Englishman must come to the opinion, that the period had at last arrived when it became the duty of that House to take the question into its own hands. But, whilst he was entirely of opinion that it was necessary for the House to interfere, they must not be provoked, even by contumacious resistance, into a disregard of justice, or into measures which would not be the best for the slaves themselves. Emancipation ought to be the constant aim and end to which all measures were to be directed, but the slave must not immediately be placed in a situation for which he was little prepared. Let not the House appear to wish at once to secure to themselves the luxury of doing good, and the luxury of tormenting; to have the ruin of the planter as much at heart as the liberty of the slave; to be regardless how much blood-shed they might cause, so long as it was the blood of the whites. Two parties were concerned: the Legislature had duties to discharge to both; and if the slave was to be considered first, the planter should not be forgotten. If the mother-country, after having long sanctioned slavery, had come, and rightly come, to the resolution of wiping that foul stain from her code, the mother-country should share the inconvenience which must result from a change of system. If the mother-country required the colonies to adopt regulations which of necessity diminished their profits, when they were in a distressed state already, the mother-country had a right to share the loss which she occasioned. It was a shabby philanthropy which indulged itself at the expense of others; and, if England was sincere in her wish to accelerate the extinction of slavery, England should give a proof of her sincerity by consenting to pay the price. It was Mr. Wilberforce who said, that "there existed no right of paying a debt of African humanity with West-Indian property." But, if the whole value of all the slaves in the West Indies were subscribed and laid down, he would contend that they could not do the slaves a greater unkindness than setting them free at once. Sudden liberty would only be a wild intoxication; slaves suddenly advanced to freedom, would be likely to make a bad use of that of which they had no just conception. They might be vindictive; they would certainly be idle. The object was, to make them better and happier than they were; and the House ought to pursue that course which was most likely to reach this righteous end. There was, in the immediate neighbourhood of our West-Indian colonies an island, of which the history afforded a sad but useful lesson to all the parties who were concerned in the present question; to the planters, on the one hand, and to those who advocated the immediate abolition of slavery, on the other. The island of St. Domingo too forcibly demonstrated the fatal consequences of prolonged resistance on the part of the planters; the fatal effects of the injudicious haste of immediate abolitionists; and, lastly, the fatal crimes into which sudden emancipation was liable to lead the slave-population, and the questionable benefit which sudden emancipation afforded, even to the emancipated themselves. The proceedings of *les Amis des Noirs*, and the decrees of the National Assembly, with reference to St. Domingo, were the very counterpart of the propositions of the immediate abolitionists of this country: and what was the result? wholesale massacre; universal devastation; crimes, horrible and numberless; crimes of an amount to doom the slaves to endless perdition at the very moment of emancipation. The most fertile island of all the Antilles was now reduced to import sugar for its own consumption. Disgraced with the ruins of its towns, its villas, and its plantations; half depopulated, scarcely cultivated, St. Domingo held out to the world a frightful example of the inutility of freedom to those who were unprepared for it. Let the fate of St. Domingo be a warning to all; and, while it moderated the zeal of those who would move too fast, let it school the pride and tame the obstinacy of colonial legislatures, and teach them, by timely concession, to shield themselves from a fate which it was still in their power to avert. The recent conduct of the West-Indian colonies, and, he regretted to add, of the proprietary body, had naturally turned the tide of public feeling into a contrary direction from that which it was beginning to take. But the House must not suffer themselves to be hurried away by passions, because others were intemperate. Not even an honest indignation should induce them to depart from the paths of justice and wisdom. He should wish the House to make it evident to the colonies that no concessions would be made to the planter, unless the planter would make concessions to the slave. This House must no longer be thwarted in its endeavours to ameliorate the condition of the slave; but with these concessions he should have been willing to rest content for the present. It would, in every way, be better for the slave. Previous education and preparation would train him up by degrees for the possession and proper use of freedom; and, until he should be completely free, any relief afforded to the master would be of advantage to the slave; for if the master were kept in bad humour, the servant would be sure to fare worse. The Amendment which had been proposed by the noble Lord, the Chancellor of the Exchequer, exactly met his views on this important subject, and he could only say, that he should be happy to give it his cordial support.

Mr. *Evans* said, that the unfortunate transactions which occurred at St. Domingo, were not the consequence of the emancipation of the slaves, but the result of an attempt to reduce those who were emancipated to a state of slavery again. Though he was a determined abolitionist, he was no enemy to the planter; neither were any persons of the party with which he was connected: on the contrary, they all were of opinion, that by promoting the abolition of slavery they should promote the best interests of the planters. He regretted exceedingly that the noble Lord should have brought forward his Amendment on the Motion of his hon. friend, which should have his vote, if his hon. friend called for a division of the House.

Mr. *O'Connell* would carefully abstain from the adoption of any language that might hurt the feelings of hon. Members whose views were opposed to his own. The right of compensation he must deny upon two distinct grounds; first, upon the principle that no man could reasonably claim compensation for surrendering that which inflicted wrong upon his fellow-creature; no man could be the property of another man. Secondly, he was of opinion that no case for compensation would arise, for they did not wish to deprive the West-India proprietors of their houses and estates; they simply required them to cultivate their lands as lands were cultivated in this country, by free labour, which, he contended, would be productive of gain, instead of loss. With respect to the noble Lord's proposition, he must object to it as a source of delay, of which they had ample experience already. He was for throwing overboard the resolutions of 1823, which had been brought forward by a Minister not remarkable for the sincerity of his devotion to the cause of freedom, and were only calculated to delude the public, and procrastinate the adjustment of the question. The proposition of his hon. friend, the member for Weymouth, embraced emancipation, coupled with safety, and upon that score was liable to no objection. He implored the noble Lord (Lord Althorp) to grant a Committee on the principle laid down by his hon. friend, out of consideration for the general voice of the people of England, which it would prove vain to resist, as the time would shortly arrive when a more popular House of Commons would be returned, with its Members deeply pledged to the abolition of slavery. No change in the Representation was necessary in Ireland to accomplish that end, for all the Irish Members, with one exception, he believed, were unanimous upon the question. The danger to the planters, he was prepared to maintain, lay, not in the abolition, but in the continuance of slavery—in the existence of a system that made its victims consider life a burthen, and death desirable. The resolutions of 1823 had done their business. The country had been long enough deluded, and it was time that the people should know that the slave was to be emancipated. He felt deeply for the planters, but he felt also for the slaves. The state of society in the colonies was one of continual misery to both parties; to which was superadded the continual apprehension of more frightful misery. The planter was sitting, dirty and begrimed, over a powder magazine, from which he could not go away, and he was hourly afraid that the slave would apply a torch to it. Let England, then, perform her act of retribution to the slaves, and she would release the planter from his thraldom, while she would make it impossible for the Americans, the Spaniards, or any other nation, to continue the reign of oppression. He hoped that the noble Lord would not persevere in pressing his Amendment, but if he were resolved to do so, he trusted that his hon. friend would take the sense of the House upon the question.

Mr. *Baring* said, it was easy to declaim vaguely, as the hon. and learned Gentleman (Mr. O'Connell) had done, against granting compensation to the West-India proprietors; but it should be borne in mind, that when compensation was demanded, it was for that which the legislature of this country had treated as property for a long series of years. The hon. and learned Gentleman himself admitted, that by the adoption of free labour no injury would result to the planter. Now if such were the fact, upon what plea could the hon. and learned Member object to the words which it was proposed to add to the resolution? In his opinion, however, the interests of the West-India proprietors formed the smallest part of the consideration in the question of compensation; for, looking merely to the profits of the estates, it would require very little money to make an equivalent for their relinquished profits. But who, he would ask, could make adequate compensation to the shipping and other great interests of the country, whose property was so closely connected with the colonies? The feeling that was abroad among the people of England, on the subject of slavery—a feeling honourable in its origin—would not, he was afraid, be satisfied save by the surrender of the colonies. But he would venture to say, that when the colonies were gone from us, and the eyes of the country opened, then a bitter day would arrive for the nation, and Gentlemen little anticipated how the change would be felt in every town in the kingdom, and among our interests, both commercial and agricultural. It was clear, from their trading relations, that when the West-India islands were gone, our American colonies would soon follow. He was every way inclined to speak with respect of the efforts of those persons who by their perseverance, had succeeded in ameliorating the condition of the slaves, and he believed that, by pursuing temperate measures, they might yet effect much good, and at no very distant period effect the emancipation of the negro. Still he could not assent to all the statements they had put forth, nor agree to their consequent deductions. The hon. member for Weymouth had produced a calculation of the amount of the annual punishment by the whip in the whole of the West-India islands, which he rated at 2,000,000 of lashes. Now, supposing that the calculation were accurate, what did it amount to? Why, that this extent of corporal punishment being distributed among 800,000 persons, left about two stripes for each individual negro. He would admit the principle that the free labourer was a cheaper servant than a slave. Instead of feeding and taking care of a man—leaving out of view the original outlay of capital—it would, he granted, be most desirable for the planter to substitute the payment of wages and free labour, and he should feel gratified if a Committee could hold out to the House and the country any hope of so beneficial an alteration. But if they could not give such a hope—if they proceeded with reckless impetuosity—if what was called freedom proved to be freedom from labour—then the result would, he apprehended, be, that the white men would be obliged to leave the islands, and we should be compelled to take an article of extensive commerce from foreign colonies which employed slave-labour, while the price of sugar would be doubled or trebled in Jamaica. If they acted imprudently, he was convinced that they would eventually cause more instant cruelty and misery than had occurred in ten years of our own colonial system. He approved of the Amendment proposed by the noble Lord, and should certainly vote for that; it was at least a useful modification of the hon. member for Weymouth's proposition. He objected to the motion of the hon. member for Weymouth, because he was persuaded of the danger of making declarations tending to excite the negroes. They all knew the effects which had already been produced in Ireland by the declaration of the Ministers, that tithes were to be extinguished, and fearing worse effects from a similar declaration as to slavery he objected to the hon. Member's resolution. He would relate an anecdote, to show the evil of prematurely proclaiming the extinction of slavery. It was a mistake of Washington's, who specified in his will that his negro slaves—of whom, like most Virginian gentlemen, he had a large number—should on his demise be set free, adding the proviso, that their liberation should be postponed until Mrs. Washington's death. After the will was opened, Mrs. Washington, by the advice of some friends, ere she retired to rest for the night, adopted the precaution of liberating all the slaves. He would leave this anecdote to the understanding of the House.

Dr. *Lushington* believed, that but for the endeavours of those persons who had laboured indefatigably to put the people of England in possession of the merits of the question, slavery, with all its admitted evils, would have continued unaltered up to the present hour. The proprietors he was persuaded from long experience, did not feel as had been asserted, a sentiment of commiseration for the slaves. And when it was said, that if injury were inflicted on them there was a mode of redress, he denied the fact. In a case which occurred last November, where a person in power had inflicted injury on a slave, complaint was made to the Council of Protection, and redress was refused. He knew it was said, that in Jamaica a code had been promulgated in 1831, and that the negroes now enjoyed its protection. But he begged to observe, that this code—which was drawn up in such a manner as to show that the framers meant one thing while they professed to do another—allowed a stranger to inflict fifteen lashes on a negro in the field, even in the absence of the owner, driver or master, while the owner himself was permitted, at his good will and pleasure, to inflict as many as thirty-nine lashes. That code did not say a word against the flogging of females—not a word about compulsory manumission. If he wanted a receipt to create a general insurrection in the colonies, he should find it in making the negroes of the colonies believe that they must look for emancipation to the legislatures of the colonies themselves, instead of being allowed to expect it from the Legislature of this country; for then their present hopes of emancipation would be converted into absolute despair. He rejoiced exceedingly that the attempt at conquering St. Domingo had failed, for though, perhaps, that island produced less sugar than some other islands of the West Indies, it yet possessed a population enjoying the advantage of freedom, and, in consequence of that freedom, a greater degree of happiness than they could ever have hoped to attain had they still remained under the curse of slavery. Having been a member of the West-India committee in 1806, and having most attentively considered the subject ever since, he became every day more fully convinced, that the continuance of slavery was absolutely incompatible with the prosperity of the colonies. He was also certain that no West-India property would ever make a favourable return to its owners, so long as slavery was united with absenteeism. His connexions were many of them holders of large property in the West-Indies, and for their sakes he hoped that the emancipation of the negroes would be undertaken by the Legislature of this country, and steadily pursued.

Lord *George Bentinck* rose to defend Mr. Canning from the charge which had been made against him by the hon. and leaned Gentleman, the member for Kerry, and he could assure that hon. Member that Mr. Canning was a sincere friend to the negroes, but he was at the same time a friend to the planters. He could assure the hon. and learned Member that Mr. Canning never had sacrificed his private feelings to political motives; and in proof of the purity of his illustrious relative's principles, he begged leave to remind the hon. and learned Member of Mr. Canning's conduct on the Catholic question. He must deny that Mr. Canning had ever attempted to bolster up his broken fortunes by a sacrifice of his principles. He was too high-minded to adopt such a course. He should support the Motion as amended by the noble Lord.

Mr. *Burge* had waited till a late hour of the night before he addressed the House, in order that he might know the full extent of the misrepresentation and calumny which the colonies were to encounter in this Debate, and what new topics were to be urged, with the sole purpose of depriving this discussion of the calmness and temper with which it ought to be conducted, and of preventing the House from forming a dispassionate and sober judgment on one of the most momentous and difficult questions ever presented to the consideration of a deliberative assembly. The experience of former debates had prepared him for the course which the hon. member for Weymouth and his party had taken. He had repeated all his former mis-statements and exaggerations, and he had again proved that it was only to the passions and prejudices which he would excite, and not to the calm reason and sober reflection of mankind, he would leave the decision of this great question. But he (Mr. Burge) had not been prepared for the course which the Government had taken. He had not anticipated that he should see them openly renounce the protection of our colonies, and still less had he expected they would exhibit themselves unable or unwilling to incur the responsibility with which preceding Governments had charged themselves, of retaining in their own hands the superintendence of those measures by which the ultimate extinction of slavery might be effected, and that they would surrender it to those who were not only the avowed enemies of our colonies, but who were deficient in every qualification requisite for the discharge of so delicate and hazardous a trust. This most unjustifiable course had been the result of no mature deliberation, of no previous communication with any persons interested in our colonies, but appeared to have been decided on within the last few hours. Yesterday, the Government had resolved on giving a direct negative to the motion of the hon. member for Weymouth; in the course of that afternoon he understood that it was their intention to move an amendment which would have expressly left to a Committee an inquiry into all the measures which had been adopted by the colonial legislatures, in furtherance of the resolutions of the House in 1823, and it was not until one hour before the Debate commenced, that he heard his Majesty's Ministers had resolved o concur in the hon. Member's motion—a motion which assumed that nothing had been, or was to be, done by the colonial legislatures for the amelioration of the slave-population; that measures by which amelioration had been, or was to be, effected, were not those by which the extinction of slavery was to be accomplished; which left it doubtful whether any compensation was to be granted for the destruction of property; in short, which abandoned all the principles on which alone preceding Ministers, as well as both Houses of Parliament, had considered that the extinction of slavery could, or ought, to be accomplished. This was the only country possessing colonies—it was certainly the first time in the history of this country, which had hitherto regarded them as an integral part of the empire, that the Government had been found renouncing the protection of those colonies, and placing them in the hands of those whose policy had been considered altogether incompatible with their preservation. But this was not the full extent of the injustice they had experienced. Hitherto, the Minister who in that House represented the Colonial Office, had considered it his duty to interfere between the contending parties, to allay excitement, to correct misrepresentations, and to endeavour that justice should be done to the colonies. What, however, had been the conduct of the noble Lord, the Under Secretary of State for the Colonies? He was found, not allaying, but increasing, excitement: he declared he rejoiced that the motion of the hon. member for Weymouth had been made: he exhibited himself, not as a Minister of the Crown, but as an active partisan of that hon. Member, and of the hon. and learned member for Ilchester who had triumphantly declared that his life had been passed in disseminating information on this subject, and that it was to the exertions of himself and his party, he attributed the feeling which existsed in this country on the question of slavery. The noble Lord, instead of correcting the misrepresentations of others, had added to them: he had talked of the fruitless applications made to the colonial legislatures, to adopt measures of amelioration, and of their refusal to accede to them. This was a misrepresentation: but if the assertion were true, at least the noble Lord should have been prepared to have proved its truth. If the noble Lord believed it, he must be in utter ignorance of all that had been done in the different colonies: he must have imagined that no preceding Secretary of State had ever applied himself to this subject, and he never could have read the correspondence in his office. Had he never seen the despatches of Earl Bathurst, Mr. Huskisson, and Sir George Murray, addressed to the governors of the colonies having legislatures, in which he would discover that those Ministers, could find measures which merited and received the approbation of the Government? They held language directly opposite to that which the noble Lord had used, and which had also been used in the circular letter of the 10th of December, to which the name of Lord Goderich was affixed. The noble Lord represented that nothing had been done by the colonial legislatures, with the exception of one or two of the colonies, in which laws had been passed admitting the evidence of slaves. Before the noble Lord thus libelled (for he had libelled) the different colonial legislatures—before he had endeavoured to discredit the recorded opinions of preceding Secretaries of State,— he should have been prepared by some reference to the colonial laws, to have shown in what respects their enactments were inadequate to their purpose, and for what reasons the opinions of his predecessors were erroneous and unfounded. The noble Lord's representation, in his circular despatch, and which he had repeated to night was unjust and unwarranted. Had not every one of the colonies admitted the evidence of slaves? In some of the colonies almost all the regulations recommended by Earl Bathurst in 1823, and subsequently by his successors, had been adopted; and if they had not been adopted in all the colonies it had been because those regulations were not equally applicable to all. The noble Lord, and others, seemed to imagine that one general slave-code suited for all the different colonies might be established, and that there could exist no difference, arising from local causes, from the habits of the people, and their previous laws and usages, which ought to create any difference in the system of laws to be adopted by them. There was not, perhaps, a more fatal error in the policy of the Government than such an opinion. The hon. and learned member for Ilchester had referred to the slave law of Jamaica, in terms which might induce the House to suppose that the legislature of that colony had not introduced the admission of the evidence of slaves, or adopted numerous other ameliorations of the condition of the slave, until 1831; this would be a most erroneous supposition. That measure, which Mr. Canning and others justly considered most important, not merely because it would secure to the slave the full protection of the law, but because its effect would be to raise him in the scale of civilization, he alluded to the admission of slave evidence —had been adopted by the legislature of Jamaica, so long ago as 1826. It was not the fault of that legislature that his Majesty was advised to disallow the law which had adopted it. But so it was. Notwithstanding it contained this, and other provisions of the most beneficial character, yet, because it also contained some regulations which that legislature thought essential to the well-being of the slaves, no less than to the safety of the island, it was disallowed. It would appear, however, that no consideration was to be had for those measures of amelioration which had been already adopted by the colonial legislatures; no credit was to be given to them for what they had done, and what they might do. The policy which Mr. Canning, and every other statesman, had urged, was now to be abandoned. The improvement of the condition of the slave was not to be introduced through the medium of his master; but the policy now to be pursued was that which was to sow the seeds of disaffection and distrust between them, and to represent the master as the only obstacle to the freedom of his slave. It was scarcely possible to contemplate a policy more fatal to the interest of the slave, and more certain in counteracting the only means by which the extinction of slavery could be effected, in the way any rational man would desire its extinction. It must inevitably retard the progress of his civilization, and surely no man dreamt of giving him freedom until he had attained that state. First, let them improve his moral character; impart to him the truths of Christianity, by that sobriety and simplicity of instruction which might protect him from the mischievous effects of fanaticism; raise him in the state of society; give him the motive for industry, which he did not and could not possess if he had only natural wants, which a few hours of cultivation could, in the fruitful and unappropriated soil on which he lived, ever supply. Until he had acquired habits of industry, and which he would not possess until he was further advanced in civilization, the gift of freedom would be worse than useless to him. But, above all, let him cultivate those feelings of harmony and confidence between him and the master, which heretofore existed, and which so powerfully contributed to the amelioration of his condition, but which he (Mr. Burge) grieved to say, had been so greatly impaired by the conduct which had been pursued by the hon. member for Weymouth, and his party, and which now, unhappily, was too much sanctioned by his Majesty's Government. One would suppose from the sentiments heard from hon. Members, that no one could oppose the course of the hon. member for Weymouth and his partisans without being desirous of perpetuating slavery. He (Mr. Burge) was as heartily desirous of seeing the abolition of slavery effected, as any hon. Member could be, however strenuous he might appear in this House or elsewhere. But, he would seek its abolition by means which he knew would accomplish this important object; and he opposed the adoption of those means which he knew must inevitably defeat its accomplishment. He would tell those hon. Gentlemen that if they could that night succeed in obtaining a vote declaring slavery to be immediately abolished in Jamaica, they would desolate that colony—they would deluge it with blood — they would drive to the shores of some other country the few free persons who might escape the knife of the insurgent negro, and they would leave that island in possession of the negro-population. But what would then be their condition? It would be that of a lawless set of savages, cut off from all intercourse with those who would lead them on to civilization. They would be placed beyond the reach of civilization—doomed to a state of abject misery. It was said by the noble Lord, the Under Secretary of the Colonies, that nine years had elapsed, and still slavery existed. Did the noble Lord mean that freedom should precede civilization? If he did not, then he would ask, could the noble Lord have read the history of Europe, or of his own country?—could he have marked the progress of civilization at other periods of the world? If he had, what warrant had he for supposing that its progress was to be more rapid amongst our slave-population than it was in this country, or in the rest of Europe? Did the experience of history justify the expectation that they should, in the period which had been assigned, have attained that state of civilization which every man of common sense would require should precede the gift to them of freedom? The opinion which the noble Lord entertained was not that of Mr. Canning, nor of any statesman, nor of any man conversant with the history of this country, or of the world. If he recalled the period when there existed in England a class of persons corresponding with the slaves of our colonies; examined the gradual means by which they were emancipated from their condition, and the progress from barbarism to civilization throughout Europe; then let him, if he could, justify the sanguine expectation with which he had limited the period when the civilization of the slaves might be perfected. It had been said by the hon. and learned member for Ilchester, that in the history of St. Domingo he saw everything to encourage, and nothing to discourage, those means which might ensure the speediest extinction of slavery; and that the only subject of his regret, connected with that history, was the part taken by this country, and the blood and treasure which were sacrificed in endeavouring to subjugate the slave-population of that colony. He (Mr. Burge) had heard the expression of such an opinion with astonishment. He should refer to the fate of that colony, as reading the most awful lesson to this country as to the management of this question. The declaration of the National Assembly of France—the proceedings of the Society of the *Amis du Noirs*—the commencement and progress of the revolution which followed them—ought, with a warning voice, to arrest the course which was now taking in this country. If he wanted an example to deter the House from the rash and mischievous policy which a party in this country were pursuing, he would point to this desolated and depopulated colony, and without endeavouring to excite commiseration by the scenes of horror which could be exhibited there, he would recall to the recollection of the House, the former condition of this, once, the most rich and splendid of all the colonial posessions in the Carribean sea, and contrast it with its present deserted fields, its scanty cultivation, enforced by coercive labour, and its wretched and reduced population. Yes, the history of St. Domingo was, and ought to be, the beacon to warn them from adopting the course which the hon. and learned Gentleman and his partisans recommended. When he heard some regret the part taken by this country in the early period of the revolution, he could not but remember how different an opinion was entertained by the great leader of his party, the present Lord Chancellor. That learned person, in his work on colonial policy, urged, ten years afterwards, the Government of this and every other country in Europe possessing colonies, to co-operate with France in putting down the negro republic of Hayti, and reducing its population to their former state of slavery. He could not think of St. Domingo, and not feel perfectly appalled at the course which the hon. member for Weymouth called on the House to adopt.—the abolition of slavery not by gradual means—not by the previous amelioration of the condition of the slave—but by at once destroying the relation of master and slave. Even the amendment which the noble Lord, the Chancellor of the Exchequer, had reluctantly proposed, was little calculated to allay his (Mr. Burge's) apprehensions. The noble Lord left it doubtful whether he adhered to the principles on which this House, by its resolutions in 1823, contemplated that the extinction of slavery should be effected. He spoke with hesitation of that claim to compensation of which, in 1823, he entertained no doubt. He (Mr. Burge) held in his hand that which was reported as the speech of the noble Lord, the Chancellor of the Exchequer, and he had thus expressed himself:—'I certainly 'think the owner of West-India pro-'perty has a fair claim on the House for 'compensation, in the event of the adop-'tion of the plan proposed by my hon. 'friend.'* He hoped the noble Lord had not become a convert to the extravagant and unfounded notion of the hon. and learned member for Kerry, that there could be no interest or property in slaves which could be the subject of compensation. He would not detain the House by enumerating the various Charters and Statutes which first created, and afterwards recognized, this property, nor give a narrative of those proceedings of the Legislature of this country which would prove that this property owed its creation and encouragement to Great Britain herself—that her colonies received it from her—that the colonial legislatures were prohibited by the Government of this country from adopting any measures which could restrain the introduction of this property into the colonies—that the Legislature of Great Britain invited not only its own subjects, but foreigners, to lend money on the security of this property. He would ask the hon. and learned member for Kerry, whether he would, as a lawyer, advance or act on that opinion in the Courts in which he practised? Would the hon. Member, in any contract of sale or mortgage of a West-India plantation and the slaves, deal with it as if those slaves were not property? Would he be prepared to say to a mortgagee, you are claiming a property in that which cannot be property? Certainly not: the Records of the Courts of Law were the best answer to the popular declamation on this subject. The hon. member for Weymouth had repeated his former assertion, that it was impossible to account for the decrease of the slave-population of the sugar colonies, upon any other principle than that of an excess of labour in the cultivation and production of sugar, and that the natural consequence of the necessary labour in cultivating sugar was a great sacrifice of human life. To support this assertion he had drawn up a paper, which he had distributed among the Members. Although it was dated the 1st of May, it was not communicated to the Members until the very day preceding that on which this discussion was to come on, and when it was quite impossible to examine the documents to which it referred, and ascertain its accuracy. There was one decisive objection to that paper. It did not contain those particulars which would discover the real cause of the decrease, and which would establish that it was not attributable to the cause which the hon. Member assigned. The Return did not distinguish the country of the slaves, their ages, and the ages at which the deaths had taken place. The proportion which the survivors of the originally imported Africans bore to such slaves as were born in the island, and called Creoles, constituted a very important consideration in ascertaining the cause of the decrease. The Africans were adults when they were imported. In 1808, when the Slave-trade was abolished, and they ceased to be imported, the whole African population of the colonies were adults, the youngest not being under twenty years of age. Their decrease had been the effect of age, while there were causes which prevented any increase by births, such as the disproportion between the sexes, in consequence of the great majority imported being males, and the habits of the Africans. But it would be found that, although the Africans were decreasing, yet there was a continued increase in the Creole population, and that increase in the Creole population would stand the test of a comparison with that of any other part of the world. In Jamaica, in 1817, one-third of the slave-population consisted of Africans: there were at least 111,000, and such a proportion of Africans had a material influence in causing the decrease of the slave-population. In Barbadoes there was a very considerable increase, because Africans ceased to be imported long before the abolition of the Slave-trade. The population was in its natural state: there was a due proportion between the sexes; and the population of Barbadoes had increased. Again, if this paper had exhibited the ages, it would have been apparent that the mortality was in infancy, and not after the period when labour commenced. Returns fully and accurately detailing these particulars in the population would completely refute the hon. Member's assertion. The noble Lord, the Under Secretary of State for the Colonies, had referred to the decrease which he considered to have taken place in the island of Jamaica during twelve years. It was quite clear, that the noble Lord had not investigated, and did not know the state of that population. It was stated in the Return of 1819, that there were then 346,000 slaves in Jamaica. He had strong reasons for doubting the fact. This and the subsequent triennial Return of 1820 were double Returns—that meant in many cases, the same slaves were returned twice. The owner returned them; and, in some instances, if another than the owner was in possession, he also included the slaves in his Return; others again, having a claim to the slaves, returned them, thinking they asserted, or saved their title. It was not until the triennial Return of 1823, that persons became sufficiently familiar with the provisions of the Registry Act to desist from this practice. The correction of this practice made it appear as if there were a decrease. Again, if the noble Lord had been as desirous of doing justice to the colonies, as of joining in an attack on them, he would have found himself able further to account for the considerable decrease in the triennial Return of 1823, by the fact, that in the year 1822, no less than 5,000 infants died from measles and the influenza. The noble Lord might also have still further accounted for the number of the decrease, by looking at the number of manumissions which had taken place in the twelve years. They exceeded 8,000, according to the number recorded in the Secretary's office; but it was perfectly well known that there were many manumissions which were never registered, and he was convinced that the whole number exceeded 12,000. What was the effect of these manumissions on the original slave-population? They not merely diminished the number of slaves, but they withdrew from that class of the population the means of increasing it to the extent to which otherwise it would have been increased by the children of the females manumitted. The addition thus made to the free population was a diminution of the means of increasing the slave-population. Again, there were many slaves who left the island, or who had withdrawn themselves from their owners; and here was another cause of decrease. But for these and other causes, there was no allowance made by the noble Lord; but that noble Lord was bound, as the Colonial Minister in that House, to see that justice was done to the colonies in this and every other Representation. He ought not only to be accurate himself, but to furnish himself with the means of correcting the inaccuracies of others. This was not the way in which our colonies had beeen accustomed to be treated by a Minister of the Crown. Unfortunately, however, from the period of the noble Lord's accession to office, no less than in his speech of to-night, he had proved that he entertained the sentiments, not of a Minister of the Crown bound to see that justice was done to the colonies, but of a zealous partisan against them. He (Mr. Burge) would not by any observations of his, weaken the indignation which the noble Lord must have excited on the mind of every hon. Member who heard his attack upon the right hon. Baronet the member for Tamworth. To deprecate rash and precipitate measures, to warn the House of their disastrous consequences, and to implore a calm and dispassionate consideration of this great question, was so foreign to the habits and disposition of the noble Lord, that he could not understand why they should be adopted, unless for the purpose of advocating the continuance of slavery. The assertion of the noble Lord, that the colonial legislatures had literally done nothing, had been echoed by an hon. Member, of whom he (Mr. Burge) should very much like to ask, whether he had ever read, or knew the contents of any one of the Acts of every one of the colonial legislatures passed within the last five years? Neither that hon. Member, nor the noble Lord, had pointed out those defects in the laws of the several colonial legislatures which justified an assertion that nothing had been done. He should oppose to that assertion, the recorded opinions of the three preceding Secretaries of State to whom he had already alluded. He was surprised that, in all the discussions which had taken place, not one word had ever been uttered by the noble Lord in commendation of the legislature of Jamaica, in removing the disabilities of the free people of colour, and giving them all the rights of white people; but perhaps the noble Lord attached no importance to this measure, in its effect in promoting the advancement and civilization of the slave-population. If such were the case, the noble Lord afforded another instance how ill qualified he was, to judge of the means which would accelerate the freedom of the slave. The removal of the civil disability which formerly attached to the distinction of colour, the elevation in society of the class interposed between the slave and the white person, were most effectual instruments in elevating the slave, not only by removing long-established prejudices, but by furnishing the slave himself with a powerful motive for acquiring that moral capacity for a state of freedom, without which freedom would be a curse to him rather than a blessing. The dangerous delusion under which so many laboured was the consequence of their ignorance of the negro habits and character. They presumed him to have attained a degree of civilization from which he was yet far removed, that he had acquired those habits which would render him an industrious labourer if he were free, and that he regarded freedom with the same feeling as they did, instead of considering it, as he really did, in no other light than as a total cessation from any employment. The mere gratification of natural wants would never supply him with an adequate motive for industrious labour, because those wants were so readily supplied. In such a case, the progress of civilization must necessarily be slow, but it was advancing, and advancing, too, by the only means which were adequate to that purpose—the improvement of his moral feelings and character. The hon. member for Weymouth had, with the greatest injustice, accused the colonies, not merely of indifference to the religious instruction of the slave-population, but of a systematic refusal to allow it to be imparted. Long before the condition of our colonies had attracted his attention, every colony readily admitted, and zealously encouraged, sober and discreet instructors in the truths of Christianity. That Society on which he had cast some unwarrantable reflexions, had its missionaries in most of our colonies. The name of one of them, the reverend Mr. Curtin, of Antigua, had been brought under the notice of the House some few weeks since. That Society had exerted itself with meritorious zeal, and had greatly contributed to the religious instruction of all classes in the colonies. But the colonies themselves, also, sustained the expense of large ecclesiastical establishments. This Society existed, and was in active operation, long before the year 1823. Since that period, the episcopal establishments had been formed, and this Society had increased its exertions, and the colonies had multiplied the means of religious instruction, by additional places of worship, by catechists, and other instructors. Of the extent of the ecclesiastical establishment of Jamaica, the papers on the Table of this House afforded abundance of proof, to the credit of that island, and in refutation of the unfounded charge of the hon. Member. In opposition to those charges, he (Mr. Burge) would refer the House to the Reports of the Bishops of Jamaica and Barbadoes—to the circumstantial details which clergymen of the Churches of England and Scotland had given—to the extent of the religious instruction which had been imparted, and the influence it had had on the slave-population. The hon. Member had especially selected the island of Jamaica as the object of his attack. He had charged that colony with the spirit of religious intolerance. He (Mr. Burge) must deny that there was the least foundation for such a charge; on no occasion had such a spirit existed. There were Catholics and Presbyterians, as well as ministers of the Church of England. Jamaica did not want the Catholic Relief Bill to secure from the legislature, not merely toleration, but assistance, in communicating instruction to the followers of that faith. The Kirk Establishment was liberally supported—the Moravians had been encouraged in pursuing their peaceful, discreet and sober course, as moral and religious instructors; nor was any distinction made in regard to any body of Dissenters, until some classes of them had injudiciously interfered with the civil and political state of the slave-population, and had made an intemperate and indiscreet use of their influence over the minds of the slaves, and been found conveying to this country, and to the known and relentless enemies of the colonies, the most unfounded charges against them. It then became the duty of the colony to consider whether the ministers of our own Church and of that of Scotland, as they were equally able and efficient, might not at the same time be more safe instruments for extending to the slaves the general truths of religion and morality; and they considered, and he thought rightly, that those truths could be inculcated with greater advantage to the slaves by sober and discreet persons, than by those who had become violent partisans against their owners. They thought it their duty to endeavour that the doctrines of religion should not be accompanied by those which excited disaffection and distrust, and were incompatible with the well-being, and peace, and safety of the island. The hon. Member supported his unfounded charge of the persecution of missionaries by extracts from a newspaper; but the hon. Gentleman at the same time condemned his proof, by admitting that he had no right to make the people of Jamaica responsible for the language which the editor of a newspaper used. The House was in possession of no better proof to warrant the observations he made respecting the persons by whom the Baptist chapels had been destroyed. He (Mr. Burge) would not enter on that subject until the House had before it the means of forming a correct judgment on it. [“*Question!*”] There were interests, and great interests, placed in jeopardy—the lives and properties of our fellow-subjects in the colonies; and the interests also of those who had sent Members into that House were at stake. Hon. Members might rest assured, that the colonies could not be destroyed without inflicting irreparable injury on that great body of manufacturers in this country, for whom those colonies found employment and profit. The cry of “Question!” might prevent his voice from being heard; but it would not stifle the feelings of remorse in hon. Members, when they reflected on the work of destruction which a rash and precipitate vote might complete, and on the great and extensive interests which had been thus sacrificed. Even if he (Mr. Burge) did not perceive the evident inclination of the Government to promote the views of that party whose designs were most fatal to the existence of our colonies, he should protest against this or any Government abandoning the superintendence and conduct of this great question. They were bound to take the responsibility of it upon themselves; they ought not to shrink from it; still less ought they to place it in the hands of a party pledged to a particular course, which, if persisted in, would lead to the most frightful consequences. He deprecated the course that was about to be taken that night. It was true the Motion, as amended by the noble Lord, was preferable to the original motion of the hon. member for Weymouth; but he (Mr. Burge) objected to both, because they equally placed beyond the control of the Government, a question so difficult, and so delicate, that it ought to be in the hands of those who were responsible for the manner in which they dealt with it, and who, feeling that responsibility, would deal with it with the calmness, soberness, and discretion, which it could experience from no other hands. He protested against the Government relieving itself from this responsibility by the course they were taking that night. Scarcely had the flames, which had been raging in Jamaica, been extinguished, before they were again to be lighted. There would be a repetition of all the dreadful scenes which had taken place in that unhappy colony. All that had passed that night, and especially the course adopted by his Majesty's Government, would operate with increased effect on the present excited state of the negro-population. Surely, the recent insurrection of Jamaica, the destruction of property, the sacrifice of life, and the barbarities and outrages which the savage insurgents committted, might have left on the human heart an impression strong enough to have prevented the Government from adopting a course too likely to produce the same disastrous consequences. He implored the House, he implored his Majesty's Government to pause, and he warned them of the danger they incurred; but if, regardless of the experience which they had acquired, with so dreadful a sacrifice of life and property, they persisted in their course, on them, and on them alone, must rest the responsibility, in spite of their attempt to relieve themselves from it; and never was there a responsibility so great, or involving consequences so appalling, ever before incurred by the Government of this country.

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* Hansard (new series,) vol. ix. p. 349.

Mr. *Warburton* supported the Motion of the hon. member for Weymouth, as the safest, because the speediest, measure.

Sir *Francis Burdett* would be happy to see an agreement between his hon. friend and the noble Lord on the subject of motions, which were so similar in their nature as scarcely to justify a difference of opinion. He saw no difference between human nature in the West Indies and in Europe, and there was, therefore, no reason why labour could not be stimulated by the same motives there as here. Whether the Committee were appointed by the Motion of the hon. Member, or the amendment of the noble Lord, it would most likely come to the same practical result, and grant compensation to the planter, while it recommended emancipation for the slaves. He hoped his hon. friend would accede to the amendment of the noble Lord. He believed that no difficulty would be found in the way of emancipating the slaves.

Mr. *Serjeant Wilde* supported the Motion of the hon. member for Weymouth in preference to the Amendment, which mixed up together two things that ought not to be united—emancipation and compensation. The first duty of that House, on the plain principles of justice, was, to give liberty to the slave; they could afterwards consider the compensation due to the master on the same principles: but they ought not to delay emancipation by refering it to the Committee to decide on the question of compensation, from which, however, in its proper place and order, he was by no means averse.

Sir *Robert Price* entreated the hon. member for Weymouth to accede to the noble Lord's Amendment, and not sow disunion between the supporters of this great cause by pressing the original Motion.

Colonel *Sibthorp* expressed himself as decidedly hostile to an immediate or premature emancipation of the slave-population in the colonies. That had always been his opinion; he had heard nothing to-night to alter it, and he, therefore, should vote for the Amendment.

Mr. *Fowell Buxton* replied, that to the resolutions of May, 1823, which had been so much and so warmly eulogized by several hon. Members, was to be attributed the true cause of the delay which had been experienced in the emancipation of the slaves in the British colonies; and though he had heard for some length of time much said, both by noble Lords and hon. Gentlemen, in favour of compensation or remuneration to the planters, yet he had not heard a sentence escape their lips on the condition of those who were suffering under thousands of lashes, and were the victims of a rapid death. He concurred in what had fallen from the noble Lord (Althorp), that there ought to be two resolutions instead of one for the decision of the House, and he was therefore, willing, to add to his Motion—"That the Committee should consider and report upon the best means by which, without prejudice or delay to the emancipation of the slave-population, relief could be afforded to the West-India planters." He would meet the noble Lord thus far, though at the same time he would rather have preserved his original Motion.

Lord *Althorp* could not see how it was possible that the addition of the words he had proposed could produce that delay which had been urged by several hon. Members as a reason against their adoption by the House. The question could not be disposed of until the Committee, sought now to be appointed, had made its report, and consequently no delay was occasioned. The proposition now made by the hon. member for Weymouth was also so very different from his original Motion, and so many Members had now left the House, that he (Lord Althorp) could not give his consent to the proposition.

The House divided on Lord Althorp's Amendment:—Ayes 163; Noes 90:—Majority 73.

List of the NOES.

Adeane, H. J.
Agnew, Sir A.
Anson, Hon. G.
Astley, Sir J. D.
Baring, Sir T.
Barnett, C. J.
Bayntun, S. A.
Benett, J.
Blake, Sir F.
Blamire, W.
Blackney, W.
Blunt, Sir C.
Bouverie, Hon P.
Boyle, Hon. J.
Briscoe, J. I.
Buller, Sir A.
Bulwer, E. L.
Bulwer. H. L.
Calcraft, G. H.
Callaghan, D.
Cavendish, Lord
Chandos, Marquis of
Clifford, Sir A.
Clive, E. B.
Curteis, H. B.
Easthope, J.
Ellis, W.
Etwall, R.
Evans, Colonel
Evans, W. B.
Evans, W.
Folkes, Sir W.
Gisborne, T.
Glynne, Sir S.
Godson, R.
Guise, Sir B. W.
Hulse, J.
Handcock, R.
Handley, W. F.
Harvey, D. W.
Hodges, T. L.
Hodgson, J.
Hoskins, K.
Hughes, Ald. W. H.
Hulse, Sir G.
Ingilby, Sir W.
Jephson, C. D. O.
Jerningham, Hon. H.
Johnstone, A.
Kemp, T. R.
King, E. B.
Lambert, J. S.
Leader, N. P.
Lefevre, C. S.
Lemon, Sir C.
Lennox, Lord A.
Lennox, Lord G
Lennox, Lord W.
Lushington, Dr. S.
Macaulay, T. B.
Mayhew, W.
Mills, J.
Mullins, F.
Musgrave, Sir R.
O'Connell, D.
Pelham, I. C.
Pendarvis, E. W. W.
Penleaze, J. S.
Petre, Hon. E.
Philips, Sir R. B.
Phillipps, C. M.
Protheroe, E.
Pryse, P.
Rider, T.
Ruthven, E. S.
Sanford, E. A.
Skipwith, Sir G.
Spencer, Hon. Capt.
Stewart, C.
Strickland, G.
Tennyson, C.
Thicknesse, R.
Throckmorton, R. G.
Tomes, J.
Vernon, Hon. G. T.
Vincent, Sir F.
Walker, C. A.
Warburton, H.
Webb, Colonel E.
Wellesley, Hn. T. L.
Whitmore, W. W.
Wilbraham, G.
Wilks, J.
Williams, Sir J.

TELLERS.

Buxton, T. F.
Wilde, T.

Lord *Althorp* said, that although the division on the wording of the Motion had been in his favour, yet, as the appointment of a Committee on the subject was a most important matter, he was desirous of taking more time to consider who were the most proper persons to appoint.

Mr. *Fowell Buxton* concurred in the propriety of the noble Lord's observation.

Appointment of the Committee deferred.

HOUSE OF LORDS,

Friday, May 25, 1832.

MINUTES.] Petition presented. By Viscount ST. VINCENT, from St. Lucia, for a Repeal of the Order in Council of the 2nd November, 1831, and for Relief.

NEWCASTLE REFORM MEETING.] The Order of the Day for proceeding with the Committee on the Reform Bill being called for.

The Marquess of *Londonderry* stated, that before they proceeded to the Order of the Day, he wished to call the attention of their Lordships, and particularly the noble Lords on the other side, forming part of his Majesty's Government, to a speech which appeared in a certain newspaper, and purported to be delivered at a Reform meeting. He could have wished that the noble Lord who was Secretary for the Home Department had been present, but as that noble Lord was absent, he would address himself particularly to the noble Earl at the head of the Administration, whom he observed in his place. The speech to which he particularly wished to call their Lordships' attention, had been made at a public meeting on the subject of Reform, which took place lately at the town of Newcastle, a town with which the noble Earl was particularly well acquainted. At that meeting a person with whom the noble Earl was intimate, Dr. Headlam, was chairman. With that gentleman the noble Earl had been connected for a long period, and yet, though it was his duty as Chairman to preserve order, it did not appear that he called the person who made the speech to order, or in any way intimated his disapprobation of any of the most objectionable passages which the speech contained. At the meeting in question there was much discussion, but one of the speeches was so extraordinary, so extravagant and outrageous, that when he should have read part of it to their Lordships, as he intended to do, he should ask the noble Earl and the other noble Lords in the Administration, whether this effusion had ever fallen under their observation, and whether, if it had fallen under their observation, they had directed that any measures or steps should be taken in reference to that speech? He thought himself imperatively called upon to solicit their Lordships' attention to this subject, considering the attitude which had been of late assumed by Political Unions, and the leaders of these Unions. When they saw a chief of one of these Unions, calling itself the Birmingham Union, feasted at the table of the chief magistrate of London, as if he had been the principal hero of the age [*laughter*]. This might be laughable; but what he meant to say was, that the language used in the speech, of which he intended to read some passages to their Lordships, was anything but calculated to excite laughter. It was, on the contrary, a subject for very serious animadversion; and, when he should have read these passages, he would ask the noble Earl whether the speech in question had fallen under his notice, and whether he had directed the proper measures to be taken in consequence? The speech was made at a meeting at which a friend of the noble Earl presided as chairman; and it did not appear, although atrocious and treasonable language had been used in the course of the discussion, that the utterer of that treasonable language was called to order, or in any way rebuked. He would ask the noble Earl, under these circumstances, whether he approved of such language, or in any way countenanced its use? He could only say, that if the use of such language was to be tolerated at these meetings, there would be an end to the Throne, the Government, and the Constitution of the country, and all power was already in the hands of these Political Unions. He would now read to their Lordships the passages to which he alluded, and while he did so, he begged that their Lordships would keep in mind, that Dr. Headlam, the chairman of the meeting, was the ally of the noble Earl at the head of the Ministry:—'It was a mistake, 'then, on our parts' said the speaker to whom he alluded, 'to suppose that the 'King was interested in the welfare of the 'people. It turns out that we were satir'ising him when we were comparing him 'to Alfred, and classing him with patriot 'kings. The hostility of the King to Re'form was also apparent in the determined 'character of the opposition which has 'been made to the Reform Bill in the 'House of Lords. It is not in the cha'racter of courtiers and debauchees, such 'as form a large portion of the House of 'Lords, to oppose a stern and unrelenting 'opposition to the wishes of a King.' Was it not, he would ask, a gross libel on their Lordships to call them courtiers and debauchees? But to proceed: 'If the 'King had been sincere in his wishes for 'Reform, and determined to use in favour 'of the Bill every power which the Con'stitution placed in his hands, that op'position would soon have vanished before 'the Royal determination, and shrank with 'terror before the power of the Royal pre'rogative. Reform would have been car'ried without the necessity of the creation 'of a single Peer. By his refusal to create 'Peers to support Earl Grey, and act in 'conformity with the fervent wishes and 'aspirations of his people, the King has 'exhibited himself to the nation as the 'great obstacle in the way of Reform, 'since even, by the mere threat of his de'termination to exercise the Royal prero'gative, he could have overpowered the 'resistance of the House of Lords, and 'done justice to a long-oppressed nation '—a nation which, I will undertake to say, 'notwithstanding the selfish opposition of 'the Peerage, is bent upon regaining its 'rights and freedom, and even in defiance 'of the reluctance and obduracy of a 'King—of a nation which may, ere long, 'exchange the tone of humble supplication 'for that of haughty demand, and, as a 'last resort, in a moment of indignation, 'conscious of its strength, wrest with 'violence from the usurpation of an 'insulting oligarchy those rights and 'those privileges of which it has been 'unjustly and tyrannically deprived, and 'this determination on the part of the 'King not to create Peers, and support 'Earl Grey, but to transfer his confidence 'into the hands of men whom the people 'detest and scorn, and to support a fac'tion in opposition to his people and the 'votes of the House of Commons, I can 'scarce regard in any other light than an 'act exceeding in rashness, in atrocity, and 'in guilt, the most unconstitutional pro'ceedings of the 1st Charles, or the or'dinances of Charles the 10th. To this 'rash step he has been urged by the en'treaties of a foreign female, and the im'portunities of certain bastards that infest 'the Royal Palace. It is said that there 'is an irresistible force behind the Throne, 'greater than the power of the Minister. 'and sufficient to hurl from place the 'man who has obtained the confidence of 'the people. Into the truth of these rumours I trust that inquiry will be made, 'for, if these rumours are true, a Court, 'with all its intrigues, must become abominable. It is impossible for any person to revolve in his mind all the political 'circumstances of this country, and not 'involuntarily recur to the state of France 'before the eruption of that tremendous 'revolution which overturned the altar and 'the throne, scattered the priests and the 'nobles of France as wanderers and mendicants over the earth, convulsed the 'world, and made the throne of every 'European despot tremble to its base. 'Like France, then, we are burthened with 'a load of debt, which it would seem almost impossible for anything but a political convulsion to remove. We are oppressed with taxes from which we want to 'be relieved. We are doomed to the support of a Church odious from its exactions, and still more odious from the opposition of its mitred heads to the liberties of the people. We possess an 'aristocracy unparaleled in its insolence, 'haughtiness, arrogance, disdain of the 'people, and its rapacity. We have a 'Minister, strong in popular support, dismissed, like Neckar, by the intrigues of 'a faction, from the councils of his Sovereign; and, like Neckar, to be brought 'back, I trust, triumphant on the shoulders of the people. We have an uxorious King, hostile to Reform, and incited 'to resistance to the wishes of his people, 'by the disastrous influence of a foreigner, 'who has been elevated to the dignity and 'splendour of Queen Consort of England. 'But, above all, we have a people as resolute and determined as ever were the 'French, to be free. Such is the state of 'England. Should not William the 4th 'recollect the fate of Louis the 16th? 'Should not a Queen, who makes herself 'a busy, intermeddling politician, recollect 'the fate of Maria Antoinette? From 'this hustings, I bid the Queen of England recollect, that in consequence of the 'opposition of that ill-fated woman to 'the wishes of the people of France, a 'fairer head than ever graced the shoulders of Adelaide, Queen of England, 'rolled upon the scaffold.' Some of their Lordships had thought proper to laugh when he mentioned the words "courtiers and debauchees;" but whether it was a proper matter for merriment to hear their Lordships described as debauchees, he would leave to the House to determine. But he would ask their Lordships, whether they could hear such language as this applied to the Sovereign of England, and to the Queen of England, without the utmost horror and indignation? He again asked whether this speech had come under the notice of the noble Earl at the head of the Administration, and whether that noble Earl had directed any proceedings to be instituted in consequence? The speech contained passages still more horribly treasonable, and even blasphemous, than the passages which he had read to their Lordships; but he would rather avoid going on to read them, that he might not be the means of giving them greater publicity than they had already gained. He could not regularly move an Address of this House to the Crown, praying that proceedings might be instituted against the person who had given utterance to this atrocious and treasonable language; but he did feel, that unless the noble Earl did distinctly disavow all approbation of such language [*hear*].—The noble Lords opposite might say "hear!" but they ought to recollect, that the Chairman of the meeting was a friend of the noble Earl, and that it might, perhaps, be believed that the Chairman did not disapprove of this language when he sat and heard it without rebuking the speaker. He had avoided reading other most atrocious passages in the speech, for the reason he had stated, but as some noble Lords appeared to wish that he should go on, he would do so.

Lord *Colville* said, if any more such passages were to be read, he would move that strangers be ordered to withdraw.

The Marquess of *Londonderry* did not wish that Motion to be persevered in, and, therefore, he would refrain from reading any more of this speech. But it was impossible to reflect without indignation, that such language had been used at a public meeting, without rebuke or censure, and if the noble Earl did not disclaim all approbation of such language, and did not deny that it had any countenance from him, he certainly would lay before their Lordships a distinct proposition on the subject. He, therefore, called on the noble Earl to say, whether the speech had fallen under his notice, and whether he had taken any steps in consequence, and whether he approved of, or in any way countenanced, such language as that which was used by this Mr. Larkin.

Viscount *Goderich* implored his noble friend not to condescend to answer that question. It was a question which ought not to be answered by any noble Lord in that House, and far less by him who was at the head of his Majesty's Administration. For what was the question? What was the charge? The very question did imply a charge, and a charge of the very worst description. The question was neither more nor less than whether his noble friend at the head of his Majesty's Government, did not approve of doctrines and language, at the bare mention of which every drop of English blood must be almost curdled with horror—doctrines and language which was full of the most desperate and villainous treason. If his noble friend could have been justly charged with approving one-tenth part of such atrocious and treasonable language, he would have deserved to lose his head on the scaffold. He begged of his noble friend, for God's sake, not to answer such a question. He begged of him for his own sake, and for the sake of the rest of his Majesty's Ministers—for they were all concerned in the matter—not to answer such a question. Persons in their situation were sometimes called upon to bear much, and they had borne much, but flesh and blood could not stand this. He would not submit in silence to such a monstrous accusation as appeared to be implied in such a question. It was surely most unnecessary for his noble friend to say, that this was a sort of language which he never could have used himself, and never could approve when uttered by others. It was a question which ought never to have been asked, and which, being asked, ought not to be answered.

Lord *Wynford* firmly believed that the noble Earl most thoroughly and absolutely disapproved of the language, and the traitor who uttered it. It was a sort of language which the whole course of the noble Earl's life proved that he must regard with the utmost horror, and that he should approve of it was, therefore, quite impossible. He was convinced that the noble Earl could not but regard such language with horror, and he, therefore, admitted, that an answer to that part of the question was entirely unnecessary. But then there was another part of the question, in the propriety of which he concurred, and which he thought well deserving of an answer, and that was, whether the speech in question had fallen under the noble Earl's observation, and whether he had ordered any proceedings to be instituted with respect to it. He agreed with the noble and learned Lord on the Woolsack, that it was not a proper course for this House to address the Throne, desiring that a prosecution should be instituted, since there was a remote possibility that the case might find its way into this House for judicial decision. But although he felt this, yet he did think, that their Lordships were indebted to the noble Marquess for calling their attention to the subject, and no one who heard the passages that were read by the noble Marquis could doubt what the Government ought to do. It had been said, that every libel, that every little disloyal effusion thrown out during a period of excitement, ought not to be the subject of prosecution; and he admitted that every little effusion of disloyalty might not be fit matter for legal proceeding; but here there was not merely a little effusion of disloyalty, but downright treason. Where would all this stop, if people who used such language at public meetings were to be allowed to pass with impunity? If those who made use of such language were to be allowed to pass with impunity, then one thing was clear, that the Government was at an end, and that the whole power of Government was in the Political Unions. He hoped that such language would be regarded, on both sides of the House, with horror. The Ministers, it was well known, had issued a proclamation for putting down Political Unions, and by the law, as it existed at this moment, they might be put down. They were most certainly illegal, and if there was no statute law against them, they were contrary to the common law. And yet it appeared that a representative of what was called the Birmingham Political Union, had been entertained and feasted at the table of the Chief Magistrate of London. When they saw such a scene as that, it was impossible not to call to mind what had happened before the late bloody revolution in France. He admitted, that it would not be proper to submit a Motion for an Address to the Crown, but, at the same time, he must say, that the time for the forbearance of the Government was gone by. It might be said, that a prosecution would only make this treasonable effusion more public than it was at present, and that, when prosecutions were instituted they had not succeeded. But if that doctrine were to be acted on, he should think that it was time for him to get out of the country as soon as he could. He had no doubt, however, that if prosecutions were conducted with zeal—with ability, he had no doubt they would be conducted, if conducted at all—but if they should be conducted with zeal, so as to convince Juries that the Government wished to have convictions, he had no doubt but that convictions would take place. It was, certainly, high time that Government should institute prosecutions, and put a stop to these most disgraceful and disloyal opinions. It was a disgrace to the country to allow such speeches and publications to pass with impunity, and something ought immediately to be done.

The Earl of *Radnor* said, the noble and learned Lord had admitted, that it would be irregular to make a motion in this House for an Address to the Crown, calling on the King to institute prosecutions; but it was quite as irregular to make such speeches as those of the noble and learned Lord, and noble Marquess, without submitting any motion at all. This practice of making speeches on asking questions, and without any question being before the House, was most inconvenient; and the proceeding of the noble Marquess was neither right, nor constitutional, nor regular. The Government was in the hands of the Ministers of the Crown, who were responsible for their acts; but the noble Lords on the other side appeared disposed to assume the powers of the Government. What was it but assuming the powers of Government to come down with these scraps of paper, and asking Ministers whether they approved or disapproved of this thing and the other? The noble Marquess and the noble and learned Lord who spoke last, talked of treason and traitors; but on what authority did they make these charges? On the authority of a newspaper speech. How did they know that the speech was authentic, or whether such a speech had ever been made by Mr. Larkin, or any one else? The noble and learned Lord had said that Mr. Larkin was a traitor; but on what authority did he hold up Mr. Larkin, or any one else, as a traitor? How came the noble and learned Lord, who had been a Judge, and with his judicial character still hanging about him, to designate any one as a traitor before he was tried? He did not distinctly hear the words that had been read by the noble Marquess, but, from what he did hear, he admitted that the words were bad enough; but on what authority did the noble and learned Lord call a particular person a traitor before he was tried? [Lord *Wynford*: No, no! I did not call him a traitor; I never mentioned the name of Larkin.] But the noble Marquess had named Mr. Larkin, and the noble and learned Lord, although he had not named him, had called him a traitor. What right or authority had they to call upon the noble Earl to say, whether he approved of the language which they found in these scraps of papers, or whether he intended to direct any proceedings to be instituted? Suppose the noble Earl had had this speech in an authentic shape, and suppose he did intend to institute proceedings on the subject, was he to come down to this House to state everything that he knew, and everything that he intended to do? Such questions ought not to be put, because they were most irregular; and such speeches ought not to be made upon them, because they were not only most irregular, but most unconstitutional, and most illegal. Then, the noble and learned Lord strongly recommended prosecutions to be instituted, and conducted with zeal. The noble and learned Lord said, that he had no doubt they would be conducted with ability; but then his great object was, to have them carried on with zeal; and he said, that if they were conducted with such zeal as to show that the Government wished for convictions, he had no doubt that Juries would convict. Was that the spirit by which a noble and learned Lord, who had been a Chief Justice, ought to be actuated? Was that a mode of speaking fit for the Judicial Bench? He would not further prolong this most irregular conversation. The observations of the noble and learned Lord were most unjust, because they were most irregular; they were most unconstitutional, and therefore most unjust; they were most illegal, and therefore most unjust; and, in every view, they were most improper from beginning to end. How came the noble and learned Lord to prejudge the question? And why should he allow opinions to go forth which might prejudice the minds of the Jury, in case the question should be brought before a Jury? He (the Earl of Radnor), had no acquaintance whatever with Mr. Larkin; but he knew that it was most improper to designate Mr. Larkin, or any one else, as a traitor before he was tried and convicted. A speech appeared in a newspaper, and, without any proof whatever of its authenticity, the noble and learned Lord at once called the person to whom it was attributed, a traitor. This was most unjust, and most unbecoming the character of a Judge.

Lord *Wynford* said, that the noble Earl seemed very much inclined to attack him on every occasion; and, on the present occasion, his attack on him had been most unjustifiable. The noble Earl had cast on him an imputation which was most unjust, and most unfounded. The noble Earl had said, that he had acted contrary to the rules which ought to regulate his conduct in this House. That charge was most unjust and unfounded; and, as had been said the other night, he repelled the imputation with contempt and scorn. The noble Earl had misrepresented what he had said. He had never mentioned the name of Mr. Larkin; he had never heard his name till this night; he had never accused him of anything, nor did he ever call him traitor, or connect his name with treason, or any other crime. What he did say was, that the paper read by the noble Marquess was treasonable, and that he said still; but as to whether that speech was ever made by Mr. Larkin, or any one else, he did not know, nor did he impute it to any particular individual that he had delivered that speech. He called upon the noble Earl to do him the justice to hear him. He did not say that the speech was made by Mr. Larkin, or any one else, or that it was ever made; but the speech had been ushered into the world by somebody, and what he said was, that the speech was treasonable. If he had been then a Judge (and he was most happy that he was not) he should, perhaps, have had to deal with the author of that speech in a different manner. He did not wish to be a Judge, and certainly had no wish to accept the situation of Judge from the noble Earl at the head of the Administration; and he did not think that he deserved the sneer with which that noble Earl appeared to hear him, when he had so amply acquitted the noble Earl of all idea of approving the language contained in that paper. That sneering manner was most indecorous in the noble Earl, who, from his situation, ought to set them all an example. He had never used expressions which were improperly personal to any noble Lords, and he had a right to expect that he himself should be treated with equal forbearance. If he should not be treated with the same forbearance that he used with respect to others, he should know how to conduct himself. His object was, to set himself right as to what he had said, which was no more than that the paper was treasonable; and he said further, that, if the noble Earl did not feel and admit, that it was treasonable, it was high time that he should retire from office.

The Earl of *Radnor* did not say that the noble and learned Lord had named Mr. Larkin; but the noble Marquess had named Mr. Larkin as the author of the speech; and the noble and learned Lord did say, that the author of the speech was a traitor.

Earl *Grey*; I cannot suffer such a conversation as the present to pass without some observations, though no one can be more unwilling than I am to prolong a conversation of this irregular character. I think that most of your Lordships will agree with me, that a more irregular question was never before put; and I think it will be as generally conceded, that I am under no obligation to answer such an interrogatory. With what propriety a noble Lord, lately a Judge, feels himself justified in coming forward in this House to designate that by a particular appellation which he may be required hereafter to pronounce upon as a Judge, in the last resort, I shall not now stop to discuss; but I am unable to refrain from expressing the utmost astonishment that any noble Lord, after pronouncing a speech to be treasonable, should then gravely inquire of me if I concur in the sentiments of the speaker? I need scarcely remind your Lordships that such a proceeding is contrary to all the rules and practices of this House, and even contrary to the rules of common decency and decorum. A noble Lord comes down to the House, and, with a newspaper in his hand, says, here is a treasonable speech—do you concur in the sentiments which the speaker has expressed? I need scarcely suggest to your Lordships that such conduct is totally unjustifiable, contrary to order, and against every sense or feeling of propriety. In the whole course of my life I never heard of any such question having been put to a Minister of the Crown, or to any private individual. I beg to ask the noble Lord what there is in the course of my life which gives him the right to put such a question to me? What is there that can give any man the right to inquire of another, if he approves of language which I should be afraid more particularly to characterize—language which, as applied to the King and the Queen, there will, I trust, be found no one here to justify. I again ask, upon what does the noble Lord found his right to put such a question? It would seem as if he rested it upon the fact, that a friend of mine presided at the meeting where the speech is reported to have been delivered. I am not going to disclaim the friendship of Dr. Headlam, of whom I will venture to say, that there does not exist a man of more honourable feelings, or one who, I believe, would be more stedfast in what he conceived to be the strict line of his duty. I am certainly honoured with the acquaintance of Dr. Headlam, but his intimate friendship I cannot claim; but, surely, if I even were his intimate friend, that would give no man a right to demand of me, if I concurred in the sentiments of a public speaker at a public meeting, merely because Dr. Headlam presided at that meeting. I am aware that, in the extraordinary scenes in which we are now engaged, it behoves us to act with caution and circumspection, but I scarcely think it is necessary to purge myself from the charge sought to be cast upon me by the imputation conveyed in the question which the House has just now heard. Were I to treat such a matter seriously, I should say, that this is a case in which the whole tenor of my life might be set against the charge implied by the noble Earl at the Table. If it be necessary for me to say anything upon the subject at all, I should say, indeed I have no hesitation in declaring, that I heard with regret, indignation, and disgust, the unjust and indecent attacks made against those Illustrious Personages, whom I am bound by every sentiment of duty, loyalty, and affection, to respect and love. I say, my Lords, I will not endeavour to repel the sort of insinuations that have been cast abroad, and, of course, I will remain silent respecting the intentions of Government, if we can be said to have formed any in respect to this matter. If the noble Earl (Earl Vane) thinks proper to bring forward any motion upon this subject, I shall, at the proper time, be prepared to discuss it with him; but I beg, at the same time, to remind him, that it has been admitted by the noble and learned Lord, that this House is not the public prosecutor; and let me, at the same time, remind him, that it is not because a publication is indecent and libellous that it is therefore expedient to prosecute its author. There are a variety of other considerations to be taken into account before such a resolution can be adopted. The persons who are intrusted with the executive government are, undoubtedly, bound to enforce proper respect towards the Sovereign, and to maintain the authority of the Government; and if they neglect to use the powers intrusted to them for that purpose, they are responsible for the result, and may be called to account for their conduct; but it surely will not be contended that we are bound to prosecute every case that appears to be of a libellous character. To decide upon a public prosecution is a matter of great difficulty and delicacy, and is surrounded by embarrassing considerations of various kinds. Noble Lords should bear in mind that this was not the first occasion in which it became necessary to consider the expediency of prosecuting for a libel; and I would beg the noble and learned Lord, who filled the office of Public Prosecutor, to remember, that he made it his boast that he had not instituted any prosecution for libel. A libel might be of the most atrocious character, and yet it might be highly inexpedient to institute a prosecution against its author. I must not close these few observations without taking credit for his Majesty's present Government being as anxious as any Government to put down seditious publications; but, as I have already said, there are many considerations connected with such a proceeding, which, under no circumstances, are easily decided. I have felt it necessary to say thus much, and I sincerely hope the discussion may not be revived.

The Duke of *Cumberland* was not desirous of prolonging the present conversation, but he wished to say, that he did not believe that there was a man in the country, much less any noble Peer in that House, who for a single instant entertained the idea, that the noble Earl opposite could partake of the sentiments contained in the speech, an extract from which the House had heard read. The fact being so, he hoped that the conversation might then end, and he hoped that their Lordships would proceed with the business of the evening coolly and deliberately. He would repeat, such an idea as that which the noble Earl thought necessary to disclaim had never entered into the mind of any one present; his character was too well known for such an imputation to rest upon it.

The Marquess of *Londonderry* expressed his satisfaction at the disclaimer of the noble Earl at the head of his Majesty's Government.

PARLIAMENTARY REFORM—BILL FOR ENGLAND—COMMITTEE—SIXTH DAY.] Order of the Day read, and the House went into Committee on the Reform of Parliament (England) Bill.

Question put on the 27th clause, that relating to the 10*l.* franchise.

Lord *Wharncliffe* proposed an amendment to the effect, that instead of taking the "clear yearly value" at 10*l.*, as the qualification, that the value should be estimated by the house or tenement's being rated at 10*l.* for poor's rates. When the former Bill was under discussion, he was one of those who thought that a 10*l.* qualification would be mischievously low; that it would, in fact, swamp the country with masses of electors the least likely to exercise the right of suffrage with discretion or advantage. On more mature inquiry, however, he found that, though 10*l.* might be too low a rate in some few places, yet that, considering the country at large, it was by no means so objectionable as he had at first supposed. In the metropolitan districts, in Liverpool, and one or two other places, the 10*l.* rate would admit very many persons to the right of suffrage, from whom it would be idle to expect a temperate, or wholesome, or well-directed exercise of it; but then these persons were but a few thousands at most among numberless thousands of intelligent and respectable voters; so that it could be hardly worth while to attempt to make local distinctions, so as to separate the worthy from the unworthy. Throughout the several towns of the empire, he did not hesitate to confess that the 10*l.* rate, so far from being objectionable would provide a very respectable constituency. He had a great objection, however, to the mode in which the franchise was to be ascertained, because he was convinced that the new plan for registration would give rise to more litigation and suits in Westminster Hall than any other legislative enactment ever made. He was really at a loss to know how the amount of rent, or rather the real value of the house, was to be ascertained. The Bill, he did not think, provided sufficiently for that, and he should, therefore, propose a more simple—he would say the most simple—mode of ascertaining the value of the house; namely, the amount of assessment for the poor-rate. It was said in objection to that plan, that the poor-rates were not levied in proportion to the full value of the house, but he thought it would be quite easy to arrange the matter without increasing the rate. He would also propose that, in place of the words "have resided six calendar months," there be substituted a clause making it imperative on the voter to prove that he had rented the same house for twelve months. With these alterations he thought the clause would meet approbation.

The *Lord Chancellor* said, the chief question was, whether the voter was a *bona-fide* householder of 10*l.* yearly rent, and the mode of ascertaining that was precisely the same with the mode adopted in the counties relative to 40*s.* freeholders. The question was put to them on oath, if required; and in case of a disputed return, then either a scrutiny took place, or the matter was referred to an Election Committee. The same would be the case with regard to the 10*l.* franchise, and the means of ascertaining the right of voting would be just as good in the one case as in the other. He admitted there would be much litigation the first year after the Bill became law; but, nevertheless, it was necessary to bear in mind, that though it might lead to some evils, a great good would be obtained in the long run. Every year after the first the litigation would become less and less; and the new mode of registration, though clumsy and rough, perhaps, at first, would be found in the long run to be most beneficial. He could not, however, agree to the plan of his noble friend for ascertaining the right of voting from the amount of assessment for the poor, because that would disfranchise at least 100,000 persons, and it would be much better to do that by a straight-forward legislative enactment than indirectly, and by a side-wind. In addition to that, the principle of levying the rates varied in almost every parish, so that no correct standard could be obtained. He approved of the provision which retained to a 10*l.* house-holder the right of voting, even if he did not continue to reside for twelve months in the same House, provided always that he did not remove to a house of inferior value.

Lord *Ellenborough* maintained, that, as the clause stood, the Overseer had the power of disfranchising any man to whom he objected.

The Earl of *Malmesbury* was of opinion that the clause would give a power of making voters. It would be only necessary for a landlord or manufacturer to raise the rent of his cottage, giving at the same time a compensation to his tenants by a rise in their wages.

The *Lord Chancellor* thought, that the necessity for a man to be registered for a long period before he was called on to vote, would effectually prevent the evil apprehended by the noble Earl.

The Earl of *Malmesbury* further objected, that in consequence of the trouble imposed on overseers, respectable persons would decline the office of overseer. It would be sought rather by electioneering demagogues, and the poor would be neglected. He would take that occasion to observe, that if there were to be one happy corner in this country after this Bill was passed, it would be that in which there was no local Representation, no extensive manufacture, and no Political Union.

The *Lord Chancellor* said, the Overseer was the only proper officer by whom the registry could be made, and in considering what should be the provisions of the Bill, it was deemed less objectionable to add to the duties of the Overseer, an officer already in existence, than to create a new officer. The expenses would be defrayed by the 1*s*. a head levied on the voters when they registered.

Lord *Wynford* was of opinion that this arrangement would lead to false swearing as to the value of property.

The Marquess of *Bute* said, that the 10*l*. qualification, as it now stood, would not give an independent body of electors, and he should support the Amendment.

The Marquess of *Lansdown* objected to the Amendment, that it would disfranchise a great number of electors. He rose, however, principally to express his satisfaction at hearing the opinion of the noble Baron (Wharncliffe) in favour of the 10*l*. qualification, which some noble Lords had described as revolutionary.

Amendment negatived.

The Clause with verbal amendments ordered to stand part of the Bill.

On Clause 32 being read,

The Marquess of *Londonderry* object d to that part of it which limited the right of voting in boroughs to those persons who resided within a circuit of seven miles. The effect of the clause would be, to deprive many of his tenants of a vote for the city of Durham, while it gave new votes to the tenants of the noble Baron opposite (Lord Durham), and added to that alarming preponderance which other parts of the Bill conferred on that noble Lord in the Representation of the county. He had already alluded to this most disgusting partiality displayed towards the property of the noble Baron in the county of Durham, and although the noble Baron had attempted a reply to his objections, its flimsiness was obvious to the House. It was said, that the arrangement was the result of the unbiassed judgment of Commissioners, but those Commissioners, it should be borne in mind, were appointed by the Government, and, without casting on them any very improper or unnatural reflection, he might say, that they would always be anxious to take a course pleasing to their employers, rather than to others, when any hostile interests came into conflict. He again called on the noble Baron to explain, to the satisfaction of the House and the country, why it was that this boundary of seven miles, which gave his property such a preference, was inserted in the clause.

The Marquess of *Clanricarde* thought the noble Baron near him should not answer the imputations of the noble Marquess, that he had, for his own private purposes, inserted particular words in the Bill before the House. The noble Baron should not condescend to reply to such allusions. As to the charge brought by the noble Marquess against the Commissioners, it was equally unworthy of refutation, and he believed there was no other assembly in the country, in which an individual could be found, who would throw out such insinuations against his fellow-men, or impute to them such motives.

Lord *Durham* had always observed at that particular hour (ten o'clock), that an extra degree of animation was infused into their debates, and one which formed an agreeable change, from the previous dullness of their discussions. With reference to the call made on him by the noble Marquess, he did not recognise the right of the noble Marquess to ask such questions;

nor would he, but that it was mixed up with other matters, have noticed them. The noble Marquess, presuming, probably, on what would have been his own course, had taken leave to suppose, that he (Lord Durham) had turned the power of the situation in which he was placed, to the purposes of private jobbing. He trusted it was not necessary for him to say, that he was not a person to do that. Every one was not of the same frame of mind on such subjects, and he had never felt an inclination to traffick with the liberties of his country. With respect to the boundary of seven miles, he knew nothing of it till long after it was fixed; but he cared so little for it, that if the noble Marquess moved that it should be only one or two miles, he might command his vote; for he had no desire to drive his voters to the poll, whatever might be the practice or the wishes of other noble Lords on such subjects.

The Earl of *Radnor* observed, that the noble Marquess had quarrelled with a number which was generally considered peculiarly fortunate. There were seven days in the week, and there were seven wonders of the world; and there were seven wise men; and seven was the favourite hour for dinner; and it was now three hours after dinner.

The Marquess of *Londonderry*, after the explanation of the noble Baron (Lord Durham) would not say more on the subject, although he still thought it very extraordinary. The noble Earl had been very facetious at his expense; and he had, as usual, been supported by the cheers and yells of the noble Lords opposite, whenever fault was found with a colon or semicolon of the Bill. He had not the ability to answer them; but if the unconstitutional exercise of power had not driven from his side the phalanx that could have put them down, there would not have been so many shouts of triumph.

The Duke of *Richmond* felt himself called on to say, that he was the person who proposed the boundary of seven miles; and he could add, that the noble Baron (Lord Durham) was utterly ignorant of it, for he was not at that time in England. The noble and gallant Marquess (the Marquess of Londonderry) had said, that he, at least, would hold out courageously to the last. He had never doubted the courage and gallantry of the noble Marquess, whatever he might feel as to his discretion.

The Marquess of *Londonderry* could also say to the gallant Duke, that he had no doubts of that noble Lord's courage, but he had some doubts which would preponderate if the noble Duke's gallantry and his indiscretion were put into opposite scales.

The Duke of *Richmond* said, that the gallant Marquess was unable to charge him with indiscretion.

The Marquess of *Londonderry:* I deny it.

The Duke of *Richmond* challenged the noble Marquess to point out the act of his life in which he had been guilty of indiscretion.

Clause agreed to.

The question having been put on the 34th Clause,

Lord *Wynford* objected to the clause, that it would disfranchise those who, by recent Acts of Parliament, throwing open certain boroughs to the hundred, had been enfranchised. For example, it would deprive the inhabitants of the Rape of Bramber of their votes for the county of Sussex.

The Duke of *Richmond* said, the object of the clause was, to prevent any man having two votes for the same property.

The Marquess of *Londonderry* begged to ask the noble Lords opposite, why a freeholder of Newcastle, who resided at Gateshead, was allowed to vote for both those places?

The Duke of *Richmond* did not think it necessary again to revert to the case of Gateshead. The noble Marquess (the Marquess of Londonderry) could not be an unbiassed judge, since he had objected to the distance of seven miles, because that did not include Seaham, which was his property.

The Marquess of *Londonderry* spurned with contempt the noble Duke's insinuation against him.

The Duke of *Richmond* thought, that such language ought not to be used in the House of Lords. Their Lordships could scarcely wonder that people out of doors should say, that the Lords were guilty of atrocious acts, when, in that House, one Lord was heard to charge another, in the face of their Lordships, with improper conduct; nor could they blame people out of doors for saying that their Lordships were worthy of contempt, when a noble Marquess spurned with contempt another member of that House. The noble Marquess was one of the last persons whom he should choose to insult at any time; but if he had any wish to insult him he should certainly not do so in that House, where their Lordships' rules would prevent him from repelling an insult.

The Marquess of *Londonderry* acquitted the noble Duke of any wish to insult him, and apologized to the House if he had fallen into any error.

On the question having been put upon the 41st Clause,

Lord *Ellenborough* objected to the appointment of the Barristers being vested in the Judges.

The *Lord Chancellor* said, that the power must be vested somewhere, and he thought that the Judges were the persons best fitted to exercise it.

Clause agreed to, as were the other clauses down to the 80th, inclusive.

The House resumed. The Committee to sit again on Wednesday.

HOUSE OF COMMONS,

Friday, May 25, 1832.

MINUTES.] Papers ordered. On the Motion of Mr. BALDWIN, Copies of all Appeals lodged at the Privy Council against the Decisions of the late Board of Commissioners for arranging the Claims on France.

Bills brought in. By Lord JOHN RUSSELL, for Amending the Laws relating to Army Prize Money.

Petitions presented. By Sir S. GLYNNE, from Flint and Denbigh;—by Lord COLE, from Limerick;—by Mr. YOUNG, from Kilmore;—by Mr. JAMES E. GORDON, from Melksham and Bristol, and several places in Ireland; and by Colonel PERCEVAL, from Kilvernet, and two other places in Ireland,—against the Ministerial Plan of Education in Ireland.—By Mr. JAMES E. GORDON, from Kilcommon, and other places in Ireland,—against the Reform Bill (Ireland).—By Mr. HENRY GRATTAN, from Walterstown, and seven other places in Ireland;—and by Mr. CHAPMAN, from Ballymore and Kilbaggan,—against Tithes (Ireland).—By Mr. E. STEWART, from Wigtown and Withorn;—by Mr. GILLON, from Musselburgh;—by General PALMER, from four Parishes in Bath;—by Mr. BAILLIE, from Bristol;—by Mr. FOLEY, from Kidderminster;—by the ATTORNEY GENERAL, from 280 Gentlemen in the Law;—by Mr. THOMAS DUNDAS, from Richmond, Yorkshire;—and by Mr. WARBURTON, from Bridport,—for Stopping the Supplies till the Reform Bill be carried.—By Mr. CHAPMAN, from Moat,—for Commuting the Punishment of Death for Crimes against Property unattended by Personal violence.—By Mr. JAMES E. GORDON, from Kilcommon, and two other Places,—against the Grant to Maynooth College.—By Mr. O'CONNELL, from the Reverend Thomas Smith of Wickham House,—for Reform in the Church of England.—By Mr. BAILLIE, from Bristol,—in favour of the General Registration Bill.—By Sir MICHAEL SHAW STEWART, from Greenock,—for Protection to the West-India Interest.

BREACH OF PRIVILEGE—THE EVENING MAIL.] Mr. *Stanley* said, that before he moved the Order of the Day on the Irish Reform Bill, he had a serious complaint to offer of a gross violation of the Privileges of the House. On Friday last there was circulated among the Members of the Irish Tithe Committee, in a printed form for greater convenience, a draft of a Report, and on Monday evening a *verbatim* copy of that draft appeared in *The Dublin Evening Mail.* On a former occasion the Committee had had reason to remonstrate against the publication of garbled extracts of the evidence, but the present Breach of Privilege was of a tenfold worse character, as it purported to give that as sanctioned and decided upon, which was only circulated for the advantage of future discussion. It had been copied into the other papers of Ireland, and it was now going the round of that kingdom, exciting comments and angry feelings, when, in fact, the Committee had expressed no opinion upon any single point. It was not his intention at present to follow up his Motion, but merely to take this early notice of the subject, that it might not be thought that the Committee was unmindful of its privileges, or that it had agreed upon that document as its Report, which was wholly unauthorized. The Committee was taking steps to ascertain by what means the surreptitious publication had been made. He would conclude by moving the Order of the Day for the second reading of the Reform of Parliament (Ireland) Bill.

GOVERNORSHIP OF MADRAS.] Mr. *Labouchere* wished to asked the right hon. President of the Board of Control, whether the new Governor, who was about to proceed to Madras, was to do so upon a reduced salary? No one was less desirous than he was, that the emoluments should be reduced below what was large and liberal; but the amount hitherto paid of 16,000*l.* a-year, seemed to him not only large and liberal, but extravagant. There was another point on which he wished for information. The East-India Company's Charter was about to expire, and a new arrangement must, therefore, soon be made. He should be glad to learn, therefore, whether the new Governor of Madras was to go out on the distinct understanding that he must submit to any further reduction Parliament might think fit to make?

Mr. *Charles Grant* begged to state, in reply, that the present had been thought a very proper opportunity to make a reduction in the salary of the Governor of

Madras, which, making allowance for the rate of exchange, must be reckoned at 13,000*l.* or 14,000*l.*, and not 16,000*l.*, at which it was nominally fixed. It was proposed that in future it should be settled at 10,000*l.* per annum, with, of course, a distinct intimation and understanding, that even that sum should be liable to any decision Parliament might come to upon the subject.

PARLIAMENTARY REFORM—BILL FOR IRELAND — SECOND READING.] The Order of the Day having been read,

Mr. *Stanley* said, that in moving that the Irish Reform Bill be read a second time, he felt relieved from any necessity of calling the attention of the House to any general topics of Parliamentary Reform, which it would be wasting the time of the House now to discuss, inasmuch as, upon various occasions, they had been repeatedly recognized by the decisions of that House, and he was at length happy to say, by the votes of the other House. If there were any men who would contend that what was right in England, was wrong in Ireland; that here nomination boroughs were a curse and odious, and there a blessing; that here large towns should have the franchise, and there that they should be practically excluded from all the rights of Representation—if there were any Gentlemen of these opinions, it was not for him, in a *prima facie* case, to vindicate the Bill. He should leave it to those who held such doctrines to vindicate themselves. He was well aware that there were some Members of that House who approved of the principle of the Bill, but who did not think that in the details it was carried far enough. He could only say to those Gentlemen, he was prepared equally with themselves to give every consideration to the subject in the Committee, for, as all such persons must vote for the second reading, he held that it was unnecessary for him to state any arguments with reference to their opinions in the present stage of the proceedings. A letter upon the principles of the Bill had appeared in one of the newspapers, and which, perhaps, would scarcely have attracted his attention, had it not appeared with the signature of the hon. member for Kerry. He would excuse that hon. Gentleman, and would return him thanks for the letter, if he would only prove, to the satisfaction of the Gentlemen of the other side of the House, two, and only two, of the assertions which his letter contained. The first of these assertions was, that the Bill was of such a character that it ought to be entitled "A Bill to restore the power of the Orange ascendency in Ireland." He was persuaded that the hon. member for Kerry could never convince him of anything of the sort, and all he begged of him was, that he would try and persuade the other side of the House that such would really be the result of the Bill. He should be equally obliged to the hon. Gentleman if he would make good his second position, which was, that he (Mr. Stanley) had received the assurances of all the Tories in the House that it was their intention to support the Bill. This was certainly a great boldness of assertion, but he would forgive the hon. Member that, and every other boldness of his letter, if he would only ensure him that support. He must beg leave to say, that the hon. Gentleman very well knew, that of the three Reform Bills, the one upon which the heartiest and strongest opposition on the part of the Tories rested, the one which they considered the most revolutionary of the whole, the one which they were prepared to meet with the most decided resistance, was the Irish Bill. Having said this, he would not further advert to the hon. Member's letter. He would now turn to the contrary side of the argument, and would endeavour to show that the Bill was not revolutionary, that it was not subversive of the rights of any class of men, and that it was not in any one respect dangerous to the Protestant institutions of Ireland. The right hon. member for Aldeburgh (Mr. Croker) had formerly said, that he would give his assent to the second reading of the Scotch and Irish Reform Bills, because the House had approved of the English Bill; but the right hon. member for Perth went further, and said, that he hoped that the House would be consistent, and vote for the Reform Bills for Scotland and Ireland, as the three together were less likely, in his opinion, to be dangerous, then either of them separately. The right hon. member for Perth had even said, that Ireland and Scotland had been treated with great injustice; that enough had not been done for Ireland; and that it was impossible for the House to oppose the second reading of the Irish Reform Bill. He was glad to hear that sentiment; and he did hope that the Scotch Members had not adopted it merely as a lure to Ireland, and in order to induce the Irish Members to concede something more towards Scotland. To those Gentlemen who might be disposed to object to the Bill because it did not go far enough, he would at once say, take it as something, though not all which you desire, and in the Committee you may, perhaps, make it more agreeable to your wishes than it is at present. The objections, however, to the Bill, he believed, chiefly rested upon the amount of danger with which it was supposed to menace the Protestant institutions of Ireland, by the immense preponderance which it was thought that it would give to the Roman Catholics. If he thought that the slightest possible danger would result from the Bill to the Protestant interest, he should yet be prepared to meet the argument *in limine*, by showing that the argument, if good abstractedly, could be no argument whatever for the year 1832. Such an argument would be totally inconsistent with the whole spirit of legislation; it would be inconsistent with that system which was perfected and concluded by the great legislative measure of 1829. The hon. member for Dundalk (Mr. James E. Gordon), who was the strict and regular Representative of the Protestants of Ireland—would perhaps be brought to acknowledge that he (Mr. Stanley) could prove this, even to his satisfaction. From the date of the Act of 1829, he (Mr. Stanley) conceived that the position had been laid down, that all religious distinctions, with their kindred rancour and strife, had been done away in Ireland. If the House admitted the general principle of Reform, and if it had admitted that no distinction any longer existed between the Church of England and the Catholics, or between the Church of England and the Dissenters, he asked upon what ground they could turn round and say, that they would not extend the right of returning Members to Parliament because the Catholics must participate in the extension? They might as well object to Reform in England, because the Dissenters would share its benefits. If this were to be the case, then he would say, that there was yet a Catholic Question left behind and to be settled, and that a broad political distinction between the religions still existed. The 40*s.* freeholders were not disfranchised because they were Catholics, as he remembered hearing the right hon. member for Tamworth say, but because they were not politically independent. They were beings totally and absolutely dependent upon their Protestant landlords. That right hon. Member (Sir Robert Peel) had no right to complain of the Bill in this respect, for by his great measure of emancipation, the Protestant and Roman Catholic 40*s.* freeholders were equally disfranchised; and perfect equality in this respect was at once established between the Catholics and Protestants. He had ever been a supporter of the propriety of disfranchising the 40*s.* freeholders of Ireland, because of their extreme dependence, and he had supported the hon. member for Staffordshire (Mr. Littleton) who, in the year 1825, brought forward a measure to disfranchise them, not on account of any religious distinction, but because, in point of voting, they were practically nothing more than a part of the live stock upon the estate of the landlord. The disfranchisement of those men, if it had any effect at all in point of influence as to religious parties, diminished the influence of the Protestants more than that of the Catholics. Sixty-four of the 100 Irish Members were returned by a county constituency, and there were, therefore, two-thirds of the Members who could not be said in any way to be affected by this Bill, and to that extent it must be perfectly clear that it could not injure the Protestant interest. According to the last returns, the population of Ireland amounted to 7,700,000. Of this number, 7,000,000 might be considered the country population, out of which was formed the county constituency, and of this large number there were only 52,162 who had votes, and therefore formed the whole of the county constituency. There was no freehold under 10*l.* There were 22,000 of the value of 50*l.* and upwards, 9,000 of a value between 50*l.* and 20*l.*, and out of the whole county constituency of Ireland, there were but 20,000 freeholds of 10*l.* value. If this was a dangerous constituency, it would be better to say at once that Ireland ought to have no constituency at all. Of these 20,000 10*l.* freeholds, there were 8,500 in the Protestant province of Ulster, and only 12,000 for the whole of the other three provinces. Now, he should mention what the changes were which they proposed by this Bill to make in the county constituency, and he would then appeal to the House, whether they were such as ought to form a ground for any apprehension. It was proposed by this measure to give the right of voting for counties to beneficial leaseholders to the amount of 10*l.*, having a lease of not less than sixty years. He was informed that in the north of Ireland there were very many respectable Catholics whom this regulation would let in, and who, having formerly been restricted from holding freeholds, had acquired the beneficial interest of long leases. He saw no danger to the Protestant interest from that, for they would be counterbalanced by leaseholders under the Church; and they were, on the whole, a more respectable class of men than the 10*l.* freeholders. The other leaseholders proposed to be admitted were those having a beneficial interest to the amount of 20*l.* on a lease of not less than fourteen years. This was the only addition they proposed to the county constituency, and no person could say that it was not a perfectly safe one. He now came to the boroughs, and would refer for information to the letters furnished by Captain Gipps and the other Commissioners. According to these, there were eight counties and cities which, together with the boroughs, contained a population of 535,000. The whole of the constituency out of this number was only 17,000, 8,000 being freeholders, and the remainder freemen; and the constituency, by this measure, would be raised to only 25,000—not one in twenty of the whole population. The city of Dublin was the only place of which it could at all be said that the constituency, by the present Bill, would be rendered inconveniently large. The population of Dublin was 250,000, and the number of voters would be about 16,000. At present there were 3,500 freemen, and 2,500 freeholders. There were 1,000 of the freemen not resident, and there were 1,000 more who occupied houses under 10*l.* rent, but these were to have their rights continued for life. They were Protestants; and, if they formed a safe constituency, how could it be said that Catholics paying 10*l.* rent were a dangerous constituency? There were six large places, being counties of cities, the Representatives for which would be returned by a constituency of from 15,000 to 16,000 voters, who were the principal residents of these towns. Would any one tell him that the constituency was too numerous for Cork, Waterford, Galway, Limerick, and Kilkenny. Coming to the next class of boroughs, it appeared that Belfast had a population of 44,470. The number of electors, however, at present was only thirteen. By this Bill the number would be raised to 2,300. Could any person say that this would form a dangerous constituency for the large Protestant town of Belfast? There were seventeen of the largest class of towns, the whole of which, deducting only three, had a constituency amounting to only 1,900 persons, and he believed about 2,600 persons returned the Members for all the boroughs of Ireland. Dundalk was one of these, and afforded a proof of the practical blessings of virtual Representation. There had been sixteen elections since the time of the Union, and from that period not less than thirteen different Members were returned for Dundalk, and of these there were but two or three who had the slightest connexion with Ireland or with Irish interest, though they might be described as Representatives of the Protestants of Ireland. There were five towns with an extensive Representation. In two of these, Newry and Downpatrick, they proposed to raise the franchise from 5*l.* to 10*l.* As to Lisburne, it was no matter whether it was 5*l.* or 10*l.*; and in this place, even after the passing of the Bill, the member for Aldeburgh (Mr. Croker) might find his last refuge, without any fear of being returned by a too numerous constituency. In these boroughs the right of Representation was originally in the whole of the inhabitants, with the Corporation, but James 1st removed the Corporation officers, and substituted more pliant persons to fill their places. What the views of King James were, respecting the proportion of the Representation which should maintain the Protestant interest, might be judged of from a speech addressed by Sir John Davis to the Irish House of Commons, at the opening of Parliament in the year 1613. In that speech Sir J. Davis stated, that the King's reason for summoning that Parliament in the manner in which he had summoned it was, that he did not wish his people should be bound by laws made by persons whom they had not chosen; and he added, that, therefore, the Parliament should no longer consist only of Knights of the Shires within the pale, but by persons chosen by the inhabitants of the whole country, whether English born, or of English descent, or native

Irish. In that House of Commons there were 125 Protestants, and 101 Catholics. Such was that protection which the Conservative Monarch considered sufficient for the preservation of the Protestant interest. There were now in existence not more than fifteen of the boroughs of James 1st. They were all swept away at the time of the Union, because they were rotten and insignificant. Looking at the Bill in the most bigotted point of view, it would add no more than six or seven to the Catholic interest. But when it was said, that throwing open the boroughs to the people would be injurious to the Corporations, what was that if it were not an admission that they had interests hostile to the interests of the people? And was that an argument which should have any weight with that House? Was their rottenness to be made their merit? If the House could safely throw open those Corporations, therefore they were bound to do so by all the claims of justice which a country could have upon them, to which they were irrevocably united. But those corporators claimed to have interests opposed not only to the Irish people but to the English people, and they had, therefore, opposed the English Reform Bill, whilst the great body of the people of Ireland came forward, in the most frank and generous manner, to give the claims of the people of England their best support. If it was just that the principles of that Bill should be applied to England, it was no less just that they should be applied to Ireland. If the Reform Bill conferred only upon the people of England that which was their right, why should the same rights be denied to Ireland? Could such rights be long withheld without danger? If they were withheld, would not that be a fair reason, wherefore the people of Ireland should demand a Repeal of the Union, seeing that the interests of England were looked upon in that House in a different view from that in which they regarded the interests of Ireland—that in England the opinions of the people were attended to, whilst in Ireland the voice of the people was stifled? He concluded by moving that the Bill be read a second time.

Mr. *Lefroy* said, in rising to oppose the Motion of the right hon. Gentleman, and to propose as an amendment that the Bill be read a second time that day six months, he felt it necessary to request the indulgence of the House, not only on his own account, but also on account of the great importance of the measure itself. That House had very frequently been called upon to legislate for Ireland, but he would be bold to say, that their attention was never engaged upon any measure of greater importance than this, not only to the interest of Ireland, but of the empire at large. He trusted, therefore, the House would extend their indulgence to him, while he endeavoured to explain what he thought would be its effects. He should be as brief as he could, and, for the purpose of abridging as much as possible, what he had to say, he would concur at once in the principle laid down by the right hon. Gentleman, as to the general necessity of improving the system of Representation, and should confine what he had to say to the reasons which induced him to think, that the English Reform Bill and the Irish stood upon totally different grounds, and that there were in Ireland peculiar circumstances which rendered the proposed measure dangerous to kindred institutions in this country—institutions, too, in which the general interests of the empire were involved. There were dangers connected with the state of Ireland at which the right hon. Gentleman did not even glance. The main grounds upon which the English Reform Bill had been supported were, the disproportion of the borough Representation in this country, and the departure, in consequence of it, from the original principles of the Constitution. But did such arguments apply to this Bill? What was the state of the Representation in Ireland now? At the time of the Union the Irish House of Commons contained 300 Members. Of these, 200 were entirely swept away, and 100 were preserved, forming the best and soundest part of the Irish Representation. Of these 100 Members for Ireland, sixty-four represented counties, ten cities with an open and popular constituency, and one the University of Dublin. This made seventy-five out of the whole number returned by a constituency of the most unobjectionable kind. There remained, therefore, twenty-five, who represented the most populous of the remaining towns and boroughs. The alterations now proposed principally affected the places represented by these twenty-five. He would say at once that he was not much disposed to object to the alterations proposed by the right hon. Gentleman in the county constituency. With respect to the towns there were eight of these last-mentioned boroughs which had a popular constituency, at which elections were warmly contested, and which sent into that House not less than seven Reformers. The standard of the constituency in these places was, he believed, more liberal than that of the newly-created boroughs in England. The constituency of Coleraine, one of the smallest, amounted to fifty-two, and it was a place often contested. Here, therefore, were in all eighty-three Members out of the 100, sent to Parliament by a popular constituency. Of the remaining seventeen boroughs the constituency was not so large and popular, the constituency ranging in various degrees of increase from twelve to ninety-four. There were only five or six of them which had so small a number as fifteen electors. It was proposed by this Bill to add five popular Members, which would make the whole number of popular Representatives for Ireland not less than eighty-eight. Of all the class of boroughs to which he last alluded there was not one of them in decay. They were all flourishing; not a Gatton nor Old Sarum was to be found among them. If at first it was thought consistent with constitutional principle that they should have Representation on the principle on which it had been hitherto exercised, was there any good reason why it should be now taken away? They were not places which had fallen into decay; they were now as thriving and as prosperous as ever they were. Why alter the Constitution of the boroughs, after the House had pledged itself to support the principles of the Constitution, and decided that it was on these principles they acted in reference to the English Reform Bill? He called upon the Solicitor General for Ireland, who had before treated the House to such extraordinary Constitutional law, to explain this. If the borough Representation in England bore only the same proportion to the rest of the system as it did in Ireland, would any person have ever dreamt of the necessity of bringing in a Reform Bill for England? There was only one-fifth of the Irish Representation a borough Representation. If there was but the same proportion here, would any person contend for the necessity of Reform? There was nothing to justify the application of such a Bill to Ireland. It had been said by the right hon. Gentleman, that the object of the Bill was, to equalize the Representation of the three countries. He should be glad to know upon what principle he undertook it. The principle upon which Reform was granted in this country did not apply to Ireland; they were quite differently situated. If they were to legislate upon the same principles, property should be represented, and not party. The right hon. Gentleman said, that they were to have an accession of county Members to counterpoise the borough influence. If principle governed the legislation, why not afford counterpoise to protect property from the influence of open boroughs? If the right hon. Gentleman wished to preserve his consistency, he would legislate for Ireland upon the same principles that he did for England. But he conceived that the principle upon which Reform was granted in England did not in any manner apply to Ireland; they were placed under quite different circumstances. The introduction of such a measure into Ireland would be attended with peculiar danger—danger which few foresaw. It would not only endanger the Constitution, the institutions of the country, but the whole empire. It had been said that one of the greatest objections, indeed the chief objection, to the measure was, the weight and influence which it would give the Catholic over the Protestant; but it would not stop there, for, in his opinion, it would cause the subversion of the Protestant Church in Ireland. It was admitted, that political power was given without reference to religious distinction; but he would ask the right hon. Gentleman, upon what grounds could he justify the ceding of such a power, when it would endanger the Protestant Constitution? But the right hon. Gentleman perhaps would say, what had religion to do with political power; but he forgot that he was legislating for Ireland and not for England. Still, he would ask, was'not the Constitution of England Protestant, and was not the Protestant religion the established one? And if religion was not to be a dictinction, by what title was the Throne held by the Monarch? Were not the King and Queen Protestant? If they did not legislate for Ireland upon those principles, legislation was a mockery, the Reform Bill was a mockery, and Representation under such a Bill would also prove a mockery, as it would neither be the Representation of property, nor of the established institutions of the country, but that of the numerical force of the people. When his Majesty recommended the consideration of this measure in his Speech from the Throne, did he not recommend it to be taken into consideration with all due regard to the established religion and the institutions of the country? And did not the right hon. Gentleman vote an Address which was the very echo of that speech? There was great danger and injustice in the measure towards the Protestant Church in Ireland; the danger extended to the empire at large. It was unnecessary to advert to the danger to the Established Church in Ireland, for that was but too obvious; it would so increase the influence of the Roman Catholics in Ireland, that the Protestant Church of Ireland must fall. But she would not fall alone, for such was her connexion with this country, that the Protestant Church of England would most likely follow. But let them suppose that such would be the case of the Protestant Church in Ireland, what would be the consequences? Would not the great link and bond which cemented their union be broken, and a separation must be the consequence? He would give the House the authority of a noble Lord, who was well acquainted with the subject, who was not only a Reformer and an emancipator, but a Whig; he was now in the House of Peers; he alluded to Lord Plunkett, and he hoped the noble Lord on this measure in the other House, would remember the language he made use of in a speech in that House. The noble Lord said, 'that he had no hesitation 'to state that the existence of the Protestant Establishment was the great 'bond of union between the countries; 'and if ever that unfortunate moment 'should arrive when they would rashly lay 'their hands on the property of the Church 'to rob it of its rights, that moment they 'would seal the doom and terminate the 'connexion between the two countries.'* The present measure was one which he had no doubt would be likely to produce that effect. Ireland was anxious for that measure which was the next step to it, the Repeal of the Union. He begged to refer the House to a letter from the hon. member for Kerry to the Irish people at the last election, who in writing to them told them, 'I never did—I never will—I 'never can, abandon my anxious desire for 'a Repeal of the Union. I deem that 'Repeal essentially necessary to Irish 'prosperity. I pledge myself to use every 'suitable occasion to promote that Repeal, 'and never to omit any available opportunity to advance the interests of the 'cause of the legislative and constitutional 'independence of Ireland. If there be 'an immediate dissolution, be satisfied 'with Reformers, without insisting on 'anything further. Your present preparation for Reform will be the best 'means of hereafter ensuring your Repealers.' He would take that as the ground-work of his argument. Reform was a stepping-stone to Repeal, and he would ask any hon. Member in that House, who would consider the measure uninfluenced by party feeling, would not the effect of this measure be, to throw twenty-five additional Members into the hands of that great political leader, who would on all occasions oppose the Government? He would appeal to the experience of the right hon. Gentleman, and beg to ask him had not this great political leader opposed the right hon. Gentleman on every measure which he, with the best of his judgment, proposed for the benefit of Ireland? Did he not oppose him on his Yeomanry Arms Bill, his system of education; and did he not oblige the right hon. Gentleman to abandon every one of his measures for Ireland? Was not the existence of such a body, under such a control, dangerous in the extreme? They would not only influence the Government of the day, but would embarrass and dictate to the English and Scotch Members. They would be a party which nothing could divide; they were bound together on all occasions by a tie which it would be impossible to sever. If a Member dare act independently he would be denounced at the next election; he would be put in the black book of the priests, and would have no chance of being returned again. This would be the great link which would bind them together; this would be the bond of a party the most dangerous that ever existed. What was this Reform Bill going to do? Was it not going to give eighteen boroughs, besides the five additional county Members, to that party whose influence in the country was prejudicial to her best interests? The Relief Bill was intended as a measure of political equality; it was not intended to give preponderance to one party or another. In consequence of Protestant property not being fairly represented in that House, and to control the political influence of the Roman Catholics, the 40*s*. freeholders were disfranchised; but by this Bill they were going to create a constituency, he conceived, far worse. It was the 10*l*. franchise. It was not like the 40*s*. franchise, where the freeholder was obliged to swear that he had an interest in his holding of 40*s*. over and above all rent and taxes, but in the 10*l*. franchise that was not the criterion; all the qualification it required was, to prove that he paid a rent of 10*l*. 1*s*., though the holding might not be worth the one shilling. Therefore, the introduction of this measure would be attended with the worst consequences; it would produce the abolition of the Irish Church, and of the British connexion. And as to its being a measure of national Representation, it was all mockery; it would not be the Representation of the property of the country, but of the physical force. He must say, that it was an act of injustice towards the Protestant landed proprietor in Ireland, and he could not conceive how the right hon. Gentleman could pretend to do an act of justice which was founded upon injustice. If no person else would advocate the interest of the Protestant Church in Ireland, he should not be ashamed to stand forward as its advocate, and, as the advocate of the Protestant interests of the empire, demanding justice at the hands of the British people. The Relief Bill gave the Roman Catholics great preponderance, though it professed to give political equality. Was that the case? Recent events in that country proved the contrary. At the great national Union those boroughs which were going to be thrown open were chosen and preserved as the representatives of Protestant property. If they were going to be disfranchised, still the places would remain, though they had been deprived of the spirit and life. Protestant property would be no longer represented in Ireland; it would be only, as he said before, the numerical force. It was well known what sort of feelings existed in the minds of those whose alleged ancestors' possessions were confiscated. They entertained the bitterest jealousy and cruel aversion towards the present possessors, and viewed English dominion with hostile feelings, and in all the addresses which had been circulated among them, taunted them with the endurance of English thraldom. There was a great political body in Ireland opposed to Protestant interests; and if the present measure was carried, in all the boroughs, every little country shopkeeper would have a preponderating influence, as his trade would give him an influence amongst the surrounding population which would prove destructive to the Representation of property. To the Catholics this measure would give everything; from the Protestants it would take the little that was left them. The accession of their opponents to political power would be exercised with domination and insolence, and it was not to be expected that the Protestants would endure the tyranny of their political rivals. They would be at length goaded into a resistance which would be greatly to be deplored. He would appeal to those Irish Members who supported the English Reform Bill, or who were not governed by their prejudices or biassed by their passions. Was it not dangerous to give an addition of political power to a people who were opposed to the Government of the country, and its establishments? The accession of Members to the Catholic party would enable them to force and worry the Government into any measures they chose, and even into a Repeal of the Union. When the Relief Bill was under consideration he had heard a great deal of the injustice of withholding it, but he would say, that the present measure was founded in injustice towards the Protestants, independent of the danger to the Established Church. He hoped the House would give it that consideration which the interests of Protestant Ireland demanded; and he was sure, if it received that consideration, it would be found that there was more justice in withholding than in conceding it. The Government might depend on the cordial support of the Protestants of Ireland in maintaining that connexion with this country which was so essential to the weal of both. He would not trouble the House any further than to propose that the Bill be read a second time that day six months.

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* Hansard, (new series) vol. xi. p. 574.

Lord *Castlereagh* rose to second the Amendment. The right hon. Secretary had made out no case to justify him in proposing a measure which he (Lord Castlereagh) greatly feared would be found in its operation to shake the very foundations of society in Ireland—to upset the

Church Establishment, and all the institutions now existing in that country—and to lead, at no distant period, to a complete separation between England and Ireland. That such a fearful experiment should have been proposed upon grounds so insufficient, or rather, upon no grounds whatever, might have surprised him if he had not recollected the course pursued by the present Government on many subjects connected with Ireland. Nothing else could be expected by him from a Government which had discountenanced the Protestant Yeomanry, and encouraged those who were the open advocates of agitation, and the enemies of tranquillity, in that country. He believed that, notwithstanding the increased power of the Roman Catholics, arising from the Catholic Relief Bill, the Established Church of Ireland would be enabled to support itself by means of the Protestant borough constituency; but after this Bill was passed, a great proportion of the borough constituency would be Roman Catholics, as well as the county constituency. At the time of the Union, twenty-five of the boroughs created by James 1st for the preservation of the Protestant faith in Ireland, were left, and those boroughs had uniformly returned Protestant Representatives, determined to support the Protestant interest on the one side, and the rights of property on the other. It might be said, that the twenty-five boroughs left at the Union would still exist under this Bill, and true they would; but they would be swamped by a constituency which he should not attempt to describe, though they had been highly panegyrised by the right hon. Secretary. He might state, however, that many of those persons who would be entitled to vote in the boroughs, under the 10*l.* qualification were merely keepers of lodging-houses, dependent upon charity for the qualification out of which they would vote. Why so extensive a change was proposed in Ireland he could not conceive, unless it was, that his Majesty's Ministers, like Dr. Sangrado, who had only one cure for all complaints, had applied Reform to Ireland, because they had applied it to England, in deference to a party who had done them some service in that House, at that great crisis, the passing of the English Reform Bill, and who now boasted of the great services they had conferred on the Ministry. If his Majesty's Ministers had not been pressed by the hon. member for Kerry and his party, in his (Lord Castlereagh's) opinion, the House would have heard very little of the Irish Reform Bill. If it were consistent with the rules of that House, he would put a question on this subject to the hon. and learned member for Kerry; and he was convinced, that that hon. Gentleman's answer at once would be, that he was not satisfied with this Bill; but the hon. and learned Gentleman had already, on a former occasion, declared, that if he could not get the whole pound of the debt that was due, he would get as much in the pound as was offered, and then take an early opportunity of seeking for more. It was curious to see what immense extent of power the Roman Catholics would gain on the passing of this Bill. He did not profess to have all the arithmetical accuracy of Lieutenant Drummond; but, nevertheless, he would venture to read to the House a list of those counties which, he believed, under this Bill, would return Catholic Representatives. There were Carlow, Cavan, Clare, Cork, Donegal, Galway, Kerry, Kildare, Kilkenny, King's County, Leitrim, Limerick, Louth, Monaghan, Sligo, Tipperary, Waterford, Westmeath, Wexford, and Wicklow, which, with some others not quite so certain, would make up twenty-six counties in the Catholic interest. Out of the boroughs of Ireland, he supposed that about fifteen would return Catholic Members. [Mr. *O'Connell:* What do you say to Enniskillen and Newry?] Enniskillen and Newry might have a chance the other way, but he could hardly say so much for Lisburne, though the observations of the right hon. Gentleman on that borough seemed to savour a little of personality, as if he had met with something in the shape of a disappointment there. Belfast was another place that was likely to fall into the hands of the Catholics; for he believed that that town contained 1,000 Catholic voters; however, he could not deny the importance of the place, and the justice of giving it another Representative. He calculated on the whole that seventy-six Catholic Members would be returned at least; besides which, he believed in some other place the Catholic constituency would have the power of turning the scale at elections, and thus returning a Member disposed to support their own views. The result of a change so extensive would be, that the hon. and learned member for Kerry would come down to that House, like a Scottish chieftain, "with his tail" of eighty Irish Members, holding the scale between any two parties in that House, and exercising an influence under which no Government could be safely carried on. It was not too much to anticipate that, when this state of things had been produced, the Irish and Scotch Members, disgusted with the influence which the Irish-Catholic Members exercised, would gladly consent to the Repeal of the Union, which was the fond and anxious wish of the hon. and learned member for Kerry. There was another circumstance to which he should allude, but without any invidious or illiberal feeling. It was well known that, in many Roman Catholic families in Ireland, maps and title-deeds of lands, formerly possessed by those families, were preserved, in the expectation that, at some future period, the bud of promise would be ripened into the flower of possession, and that the confiscated lands would be restored to them [*cries of "name, name."*] The hon. and learned member for Kerry called upon him to name the families to whom he had alluded, but it was hard to give names in support of general assertions. He believed that the fact he had stated could be easily proved, and he left it to the hon. member for Kerry to deny it if he could. [Mr. *O'Connell*: That I do, most distinctly.] He would not dispute the point with the hon. Member: the first time he ever spoke in that House was in favour of the Catholics, and he wished he had seen no cause to regret his vote in their behalf. He would ask, was Ireland at present in a situation which made it expedient to try so extensive an experiment? Was it not in a state of disorder and excitement? That Ireland was not peaceful, and that the Roman Catholic Relief Bill had not produced the beneficial consequences which its advocates anticipated, was not, in his opinion, to be ascribed to the people of Ireland generally, or to the great mass of the Catholic population. The fault lay with those who had used the best means for the worst purposes; with those who had excited the worst passions; with those who fanned the flame of religious hate with unrelenting ardour, on which the British Legislature, in passing the Relief Bill, had endeavoured to pour the peaceful waters of eternal oblivion. He was opposed to this Bill as a direct infringement of the Act of Union, and he protested against it as a measure which would be fatal to the interests of the Established Church in Ireland, and fatal to the future existence of the connection between the two countries. Upon those considerations, and believing that the present moment was most unwisely chosen for flinging this torch of incendiarism, this new material of combustion into a country so inflammable as Ireland, he should cordially second the Motion of his hon. and learned friend that the Bill should be read a second time that day six months.

Mr. *Crampton* observed, that the noble Lord had admitted that any agitation which had prevailed in Ireland was not to be attributed to the great body of the Roman Catholics, but to a few individuals. He would therefore ask the noble Lord, whether it was right that he should visit, on what he might call the great majority of the people of Ireland, the faults and errors of a few? The noble Lord had asserted that the Bill was unnecessary, because the county Representation of Ireland was, in his opinion, perfect at present. He admitted that it was in a great measure free; but the object of this Bill was, to give the elective franchise to a large number of his Majesty's subjects, who were deprived of that privilege at present. The question then was, would this proceeding endanger the peace of Ireland? In his opinion, there was no danger to be apprehended from passing the Bill. The extension of the franchise in the counties would be beneficial, not dangerous. What would the Bill do? It would give to persons holding leases for sixty years, or the assignees of such persons, and having a beneficial interest in the property to the amount annually of 10*l.*, the right of voting. And he would say, that the persons thus situated were to the full as respectable, as wealthy, and as independent, as the 10*l.* freeholders. The noble Lord had asserted, that the position in which this Bill would place the Roman Catholics, with reference to a number of counties, was likely to be productive of great mischief; but that he had not a very perfect knowledge of the counties in which the Roman Catholic interest was likely to prevail to any extent, might be gathered from what he had said of the counties. The noble Lord had drawn up an extraordinary list of those which were to become Catholic by the operation of this Bill. Who would ever have thought of having Cavan placed among the Catholic counties? And still more, who would have supposed that Sligo would ever be accused of such backsliding? The present gallant member for Sligo might be described as the very quintessence of pure Protestantism; and it certainly seemed very little likely that that county would ever descend from its present high and palmy state. The noble Lord had also animadverted on the conduct of the Government, and had accused it of promoting confusion and disorder in Ireland. This, however, had been a very common topic by the members of the Conservative party, throughout the whole of the debates on the Reform Bill; and whenever it was stated, it was cheered by their friends to a degree that was quite overwhelming to those who did not coincide in that opinion. But what was the remedy for Ireland, according to the Conservative party? Surely their's was the Sangrado system, for their proposal always was—the Insurrection Act, for the purpose of drawing the blood of Ireland, which was quite after Dr. Sangrado's own prescription.

Lord *Castlereagh:* I must protest against the hon. and learned Gentleman putting arguments in my mouth of which I never made use. I never said a single word about the Insurrection Act.

Mr. *Crampton:* The noble Lord was quite right; he never said a word about the Insurrection Act; but he spoke of measures that were to tranquillize Ireland; and the Conservative party had always strongly recommended the Insurrection Act for that purpose. If, indeed, the noble Lord chose to separate himself from the Conservatives, he could have no objection to the divorce. But, at all events, whatever might be the opinion of the noble Lord, he knew that the doctrine of the very Catholic member for Sligo was, that the only way to pacify Ireland was the Insurrection Act, banishment, and punishment. The noble Lord had alluded to the Arms Bill, introduced by the right hon. Secretary for Ireland, and it was said that it had been withdrawn in consequence of intimidation. The bill so introduced was one which, he thought, would have been useful to Ireland. That bill was not, however, withdrawn in consequence of intimidation. After great consideration it was abandoned, because a very considerable portion, not merely of Irish Members, but also of English Members who supported the Government, thought it was not advisable to proceed with it. The learned member for the University of Dublin had very unnecessarily stated that he (Mr. Crampton) had, on a former occasion, enlightened the House with some new constitutional doctrines, and the learned Member then went on to ask him, why these seventeen boroughs were to be disfranchised by Act of Parliament, and whether they were not as constitutional and pure now as in the time of James 1st, when they were established for constitutional purposes. Whatever he might have stated on any occasion relative to the constitutional law of the country (and he begged to say, that what he had said had been very much misrepresented), he should be ready at the proper time to explain; but he would not be forced into taking that step on the present occasion, because the hon. and learned Gentleman had thought proper to taunt him for that purpose. But to the question of the hon. and learned Gentleman he would endeavour to give an answer. These boroughs were rotten boroughs—he would not shrink from calling them by their name—and the existence of rotten boroughs, he was prepared to contend, was contrary to the law of the land; it was contrary to the constitution of the country; it was a nuisance that ought to be abated, and at the existence of which every constitutional lawyer ought to be impatient. The statute law recognized this doctrine—the common law recognized this doctrine; and he therefore replied to the hon. and learned Gentleman, that for these reasons it was, in his opinion, advisable to disfranchise these boroughs. But his learned friend said, "Oh! you have not proved that these boroughs are rotten boroughs." But was it not as notorious as the sun at noon-day, that those boroughs were bought and sold, and that persons represented them who had no connexion either with the boroughs themselves or with the country in general? Rotten boroughs could no longer be tolerated, and he repeated, that the Protestantism of Ireland rested upon a more certain foundation than such boroughs. The Protestant Church in Ireland was founded upon an honest basis, and not upon abuses in the State. It was said, that the opening of seventeen boroughs would do great mischief. That he denied, and the Conservatives, as they called themselves, could not controvert what he had said. As to any danger from the 10*l.* franchise, it was really ridiculous to imagine it; and when his hon. and learned friend said, that, if the Reform Bill passed, the Radicals and Conservatives would unite for a Repeal of the Union—[Mr. *Lefroy:* I said no such thing.] The 10*l.* franchise could not open the borough of Armagh—and, although his hon. and learned friend (Mr. Lefroy) was fretting by day and by night upon this subject, he could assure him that he had no real ground for alarm. Could his hon. and learned friend, who talked about danger from passing the Bill, suppose that no danger would ensue if the Bill was not passed? Was there no danger to be apprehended from disappointing the excited expectations of the people of Ireland? He believed that the danger would be greater from refusing to pass the measure than from passing it. He would not enter further into the subject than to state one amendment which his right hon. friend meant to introduce. It would have for its object to diminish the expense of elections. By the law at present the poll could be kept open fifteen days. It was proposed by the machinery of the Bill to diminish the length of time which the poll could be kept open, and it was to be limited to five days, striking off ten days from the present fifteen days. It was at the same time meant to preserve the present system of registration.

Mr. *Shaw* wished at the outset to state, that it was a great mistake to imagine that he had ever been the enemy of an extensive and beneficial Reform. But then he must add, that if the scale of enfranchisement in Ireland was to depend upon population, rather than wealth and intelligence, then he would fearlessly assert, that the Protestant Church of Ireland would be materially endangered. He believed that this Reform Bill would have that effect, and as such he felt it his duty to oppose it. Little doubt could now be entertained that the principles of all former Governments were repudiated at this time—and while he said this with regret, he must add, that he never acted with, or belonged to, any party who sought to govern Ireland by the Insurrection Act. If the Irish Government did their duty, much ill blood and bad feeling would be saved; if they did not, he could not answer for the consequences. For his own part, he had always acted openly, and spoken plainly his opinions. His hon. and learned friend had applied observations to him which his public conduct in this House could not justify. [Mr. *Crampton:* I made no specific allusion to my hon. and learned friend.] He thanked his hon. and learned friend for his frank and early contradiction of what he considered as an erroneous impression upon his part. It was said, however, that the Reform Bill in Ireland would operate to useful purposes. So far was that from being the case, that two Catholic Bishops, Dr. Doyle and Dr. M'Hale, had publicly stated, and written too, that tithes and Protestantism in Ireland must at once, or, at all events, very speedily, be abolished. These Gentlemen openly avowed, that it was to be the universal object of the Irish people to obtain, through Reform, the overthrow of the Protestant Church. Dr. Doyle was inconsistent, for in 1823 and 1826 he had professed a desire to preserve that Church, and to show how the tithes might be conveniently collected, while in 1831 and 1832 he avowed that his object was to destroy that Church. It was said, that a timely concession of Reform would avert this evil; but that he denied, for it was quite clear, that the Catholic Relief Bill, although well intended, had in the result been followed by the most disastrous effects. The hon. and learned member for Kerry was consulted. That hon. and learned Gentleman had always avowed that his object was, to obtain the Repeal of the Union, and the overthrow of the Protestant Church. These objects were to be obtained through Reform. The Government had promoted these views. It had discountenanced the Yeomanry—it had withdrawn its support from the Magistracy—it had left the Clergy in distress, and exposed to illegal exactions—and it had, in all things, opposed itself to Protestantism, repudiating those principles which all preceding Governments had followed [*hear*]. The hon. and learned member for Kerry might well cheer, for the Government was doing the work, and acting on the bidding, of the hon. and learned Member. If that were not the case, why did the Government, which retained the freemen in perpetuity in England, put an end to them in Ireland, where they were the chief support of the Protestant cause? The right hon. Gentleman said, he thought those who were supporting him in this measure were doing it from a sincere affection for Reform. The hon. and learned member for Louth had plainly told the Ministry that they stood on the brink of a precipice; that at the next election eighteen new seats would fall into the hands of the Catholics, and that the Repeal would be certain if the Ministers did not extinguish the tithes. He referred to that to show the real object of the Irish supporters of the Bill. They supported the Bill because it would lead to a Repeal of the Union. The right hon. Gentleman had spoken lightly of close boroughs, but had not the right hon. Gentleman found shelter in a close borough himself? And then the right hon. Gentleman held light an hon. friend of his, because he had not spent any great time in Ireland, and yet pretended to know the feelings of Ireland. It was true his hon. friend had not lived all his life in Ireland, but he believed he had spent a longer portion of time there than the right hon. Gentleman had. He did not think the remarks of the Solicitor General for Ireland, with respect to the observations of his hon. and learned friend (Mr. Lefroy), were founded in justice. His hon. and learned friend had not proclaimed himself an advocate for the Repeal of the Union. His hon. and learned friend had held out no threat. The opinion of his hon. and learned friend he concurred with. He did think that the passing of this Bill would give new facilities to the hon. member for Kerry for carrying his designs into execution. That hon. and learned Member had hitherto succeeded by intimidation, and this Bill would give him new means for acting upon his old system. Those who opposed this measure were charged with want of liberality, of disinterestedness, and of patriotism; but he would say for himself, that his opposition was founded on principles as pure, as honest, as disinterested, and as patriotic, as those of any man breathing. He loved Ireland, and he was bound to it by every tie that could bind a man, and, as he believed in his conscience and in his soul that this Bill would be to it a frightful plague and pestilence, he solemnly protested against it. He was not an enemy of Reform, and when the present Government was first appointed he was far more inclined to support it than he was to support the late Government. The course, however, pursued by the Government had rendered it impossible for him not to oppose it. He spoke as an independent Member, loving and devoted to his native country. When the present Government entered upon office, he felt that Reform was necessary, but he did not contemplate destruction. Eighteen months ago he felt himself secure; he felt that his children had a just and well-grounded right to look for independence. Now, however, the case was far different. The conduct of the Government had altered the face of affairs. He had looked upon the property he was possessed of, and the office he held, as secure for life; but if this Bill passed, he seriously declared he should not regard either as worth two years' purchase Such was his opinion, and such he believed to be the opinion of most connected with the administration of justice and the security of property in Ireland. He joined in the apprehensions of his hon. and learned friend. The Bill would undermine British connexion, destroy the Established Church, and ruin the security of property. It was, in fact, a Bill rightly designated when termed superlatively revolutionary, and he most sincerely opposed it. By proposing this Bill, and by the means they had used to procure its success, his Majesty's Ministers had diminished the star of England's glory. The Constitution might linger for a short time—in England, for a brief period, its name might continue, but in Ireland, with the passing of this Bill it must expire. England, fenced and protected, might resist for a time, but Ireland would experience a violent and a sudden destruction. For these reasons then, he opposed the Bill, and when he thought of its passing he felt a sorrow no language could pourtray, for that act would operate as a signal for delivering his country up a prey to boundless anarchy and fearful bloodshed and confusion.

Mr. *Ruthven* said, it appeared to him that the House seemed to have lost sight of the question which was the subject of discussion, and, in place of the simple proposition whether Ireland was or was not to have Reform, the state of the Protestants and Catholics of that country (which, in his humble judgment, had nothing whatever to do with the question) appeared to engross the attention of some hon. Gentlemen who had addressed the House, For his part, he should always lament the introduction of such topics, and this recurrence to miserable religious dissension, which had much better have been buried in oblivion, and which were unnecessary and uncalled for. On no occasion, when reference was made to Ireland, was it free from this disagreeable accompaniment, and at the present moment the exaggeration of Catholic strength and numbers was resorted to as an expedient for defeating the extension of popular privileges. Was this the way to meet a question of such importance as this? Was it by miserable quibbling and special pleading that a great national question like the present should be met? Did hon. Gentlemen suppose that such language as had been uttered in that House that night was calculated to allay the irritation and excitement of which they so loudly complained? If they thought that the amelioration of the country was to be effected by such means, they must entertain very strange notions of the people and of the country with which they professed to be so intimately acquainted. For what purpose, he would ask, were those repeated references made to his hon. friend, the member for Kerry? True it was, that the powerful and commanding talents and uncompromising principle of his hon. friend had conquered the great conqueror of the age, and extorted from him, on the score of expediency, what had been denied to him and his fellow-Catholics as a matter of right. Those who spoke of the acts of Mr. O'Connell, and alluded to his commanding influence in Ireland, had, in his opinion, paid that hon. Member the highest possible compliment. But he would put it to the House, whether the opinion of his hon. friend upon any particular question should be urged as a plea for withholding a great measure of national justice? Was this the test by which a question affecting a people's rights was to be decided? An hon. Gentleman, the member for the University of Dublin, lamented the treatment the right hon. Secretary for Ireland had received at the hands of the hon. member for Kerry, and that he had been forced by him to abandon such a good project as his Arms Bill, the revival and calling out of the Yeomanry, and other equally efficient measures which had been intended, no doubt for the benefit of Ireland. Now, after all, was there anything in this which could justify the introduction of the topic as an argument against Reform? Had not the Irish Members a right to oppose any measure brought forward in that House, either by the right hon. Secretary, or by any other hon. Member, which they might conceive prejudicial to the interests of their country? As well might it be argued that Scotland or England were not entitled to Reform, because certain Members belonging to these countries might have opposed certain projects of Government of which they did not approve. It was most unfair to attribute motives to Irish gentlemen such as had been ascribed to them by hon. Gentlemen on that side of the House. Notwithstanding their taunts, he would tell these hon. Members, that he should not be deterred from discharging his duty to his constituency and his country, even although such opposition might be termed factious. For his own part, he could fearlessly assert that he had never bowed down before the idol of power. He had neither taste nor desire for it. Any observation or insinuation such as he had alluded to could not, therefore, affect him. But the Irish Members had given the strongest proof that could possibly be adduced, that they were not influenced by party or sectarian feelings, for, notwithstanding the treatment they had received upon the tithe, and other questions, they did not on that account resent, but, on the contrary, they gave their undivided support to the English and Scotch Reform Bills. It had been said, that this measure would put an end to the Church Establishment in Ireland. Now, he would maintain, on the other hand, that unless a Reform was effected in Ireland, and unless regulations were made with regard to the Church Establishment there, embracing a due modification of the Church property, consistent with justice, equity, and common sense, a separation of the two countries would inevitably take place. The noble Lord (Castlereagh) had denied that any case was made out to justify Reform; but if the noble Lord had looked to the town of Belfast, near which his own property was, he would have found an illustration of the necessity of Reform. That town alone was a proof that the system required to be changed and amended. He implored the House, as it valued the peace of Ireland, not to dash the cup of hope from the lips of the people, by rejecting the Reform Bill.

Colonel *Conolly* considered the Bill as unnecessary, untimely, and most injurious. If any one measure could have been devised to fill the cup of Ireland's misery to the full, this Bill was, that measure. It would enable the agitators to pursue the conspiracy which had been formed against the Established Church, and aid the plans of the hon. member for Kerry in obtaining a separation between the two countries.

Mr. *O'Connell* called the hon. Member to order. He denied that he ever sought to separate the two countries. Any such attempt would be an act of treason.

Colonel *Conolly* continued. The Bill would be subversive of British connexion, and destructive of the Protestant interests. When large concessions were granted to the Catholics, it was hoped they would inspire that class of the community with gratitude. There had, however, been none. The priesthood of that religion, instead of making good their pledges, had combined the Roman Catholics for the purpose of destroying the Established Church. He opposed the measure also in its details. It would establish a miserably dependent, and not an intelligent, thinking constituency. The 10*l.* franchise would be most injurious. It would degrade the character both of electors and elected, and tend to no one good end. The effect of the Bill would be to increase, if possible, the acrimony of feeling which already existed. With respect to the boroughs, he must remind the House that they were still used for the purposes for which they were instituted by James 1st. Those purposes were, the maintenance of the Prostestant Church and Protestant interests. Those were legitimate objects, and every Member of that House was bound to maintain them. What the Bill would effect was this—it would convert the boroughs into nomination boroughs under the influence of the hon. member for Kerry. He considered that the connexion between the countries depended essentially upon the maintenance of those boroughs, and also that they were essential to the security of property. Those points had been fearfully overlooked by the Government, who had left the Protestant population in a miserable state of exposure and insecurity. In every point of view this measure was fraught with destruction and danger, and by bringing it forward, the Government seemed to have completed the course of wrong and injury they had pursued with respect to Ireland. Further than this measure mischief could not go, and all the miseries which would follow, anarchy, desolation, and bloodshed, or an odious tyranny, would be its natural and necessary consequences. The measure would give power to the hon. member for Kerry, who would, upon his own showing, exercise that power to the prejudice of British connexion and the Established Church. On all these accounts he would give to the Bill his most uncompromising hostility.

Mr. *O'Connell* said, upon such an occasion as the present, one of such deep importance to the country, and of such vital interest as affects the question of Reform, I cannot indeed but feel indebted to the gallant and hon. Member for provoking me to meet him in the field of politics. Mighty and powerful a champion as he is, I do not fear to encounter him. I feel obliged to him for the challenge he has given me — and I feel, too, still more obliged for his having afforded me, by the violence of his opposition to Reform, an additional argument in its favour. I have gathered from the opposition of that Member much useful matter, and one that he may be assured I shall avail myself of—*fas est ab hoste doceri.* The lesson he has taught shall not be forgotten. I trust I shall be able to make it a profitable one for Ireland. I should, indeed, be truly ungrateful if I did not treasure with thankfulness the trust that he has given me, that the union between this country and Ireland is solely dependent upon, and is solely connected by, thirteen little rotten, paltry, and corrupt boroughs! For the insinuations respecting me with which the gallant Member has thought fit to interlard his discourse, I feel obliged to him, and I am truly indebted to him for the power which he has conferred upon, and which he has assured me I shall possess, under the Bill which is now before the House. He has prophesied great things of me; assuredly I should, at least, be not the first to doubt his powers of divination. Let us now, however, look to the arguments put forward by the hon. and gallant Member. Of the Protestantism of that gallant Member no one can doubt, for he has himself assured us of its purity; and yet what does he say of his Protestantism, or what kind of religion does he seem to regard it? Why, he assures us that his Protestantism will be destroyed, that it will be for ever annihilated, if you destroy thirteen rotten boroughs! The gallant Member's Protestantism is not "built upon a rock," but upon thirteen rotten boroughs, and if this House will but allow the waves of Reform to "prevail against it," it will be swept away, and as completely obliterated as if its foundation were of sand, and not thirteen rotten boroughs! Boroughs, too, so rotten that they are sold as openly as beasts in the Smithfield market. Protestantism must, indeed, be a truly sagacious faith, if it depends for existence on thirteen rotten boroughs, each of which boroughs is dependant upon pounds, shillings, and pence. But I deny, Sir, the truth of the assertion; although not a Protestant, I utterly and totally deny, that it has any connexion with corruption, or that its creed is to be bound up with the sale of a seat in Parliament. Such assertions are unworthy of the party even from whom they come, and such observations will, I am certain, be regarded as utterly unworthy of attention from this House. An address has been made to you this evening by the hon. and learned member for Dublin—the Recorder and "upright Judge" of that city. That speech, I own, has surprised me, for the hon. and learned Member has exhibited himself in a new light—an actual and veritable convert to Reform! He has, indeed, spoken of the evils of Reform; he has descanted upon all the calamities of Reform, but then he began and concluded his harangue by assuring the House that he is himself a Reformer. I am sure he is a Reformer; I am certain, too, he would have continued a Reformer, and that he would have thought nothing could be more excellent than Reform, provided only that the last Government had continued three days more in office. In such a case, so convinced am I of the sincerity of the learned Recorder, that I am sure he would have pledged himself to support Reform, even though that support was in opposition to every vote on Reform which the hon. and learned Member has hitherto given. I am aware that I have been called an enemy to the Established Church; I have been called so most unjustly; for, though I am a decided enemy to the imposition of tithes, as unjust and iniquitous, though I am an enemy to them as I am to all other abuses, yet, Sir, I deny that I am the enemy of the Established Church. I am opposed to all abuses; but I am not opposed to the conscientious tenets of any man or body of men, and I defy any hon. Member of this House, or any man out of it, to point out one sentence which I have ever spoken inconsistent with a due respect and tenderness for the conscientious opinions and religious feeling of others. I have laboured to accomplish religious freedom for myself and my Roman Catholic countrymen. I did so because I considered it most unjust that one man should attempt to shackle the conscience of another, or punish him because he would not violate his religious feelings. I have ever shown myself willing and ready to concede to others the fullest extent of the same privileges which I claimed and insisted upon obtaining for myself—full and unrestricted freedom of opinion, and the undoubted and inalienable right of every man to worship God according to the dictates of his conscience. I belong to a Church which has been in Ireland since Christianity was introduced there. It is a Church which has continued perfect in all its gradations—it possesses a hierarchy as exalted as they are pure, and a priesthood whose apostolic life and conduct have rendered them beloved by the people, and who are esteemed by all those who differ from them in religion, and whose estimation is worth preserving. That Church has existed for centuries; it has gone through ages of persecution; but it is still as perfect as when persecution commenced its terrors and its tortures; it has existed, too, without any legal provision for its support; it has been maintained by the affections, the piety, and the respect of the people; and I do trust that never will that Church—the Church to which I belong—be degraded and disgraced by having a legal provision made for it. I never, Sir, shall feel the slightest hesitation in avowing my opinions respecting tithes, respecting church-cess, and respecting vestry-rates. I am opposed to them; but I am not opposed to Protestantism; for I deny that tithes and church-rates constitute Protestantism. Though an enemy to abuses, I am not the enemy of the Protestant Church. I respect the opinions of every sect of Christians. My life has been passed in the presence of the public; my sentiments, whether they were popular or unpopular—whether they were likely to be displeasing or grateful to my auditors, I never concealed; I always spoke them out boldly and distinctly. I have now been for thirty years of my life before the public. I have had an inimical press watching me during all that time, and I defy the hon. and learned Member, I defy any other man, to point out, as has been too frequently and too flippantly asserted, even a newspaper report of any speech of mine, in which can be found one sentiment uttered by me, or even ascribed to me, that is inconsistent with the most perfect respect for the religious opinions of those differing in creed from myself. Much indeed has been spoken in this House to-night, which, if it were spoken out of it, I should not be surprised to hear designated cant and hypocrisy, respecting the introduction of religion into politics. I do not know what connexion religion can have with such a subject as this. Let me tell Gentlemen, that for twenty-five years the people of Ireland had been struggling for an equality of rights, under the influence of various feelings, but, with the exception of Dr. Drumgoole, not a single person who had taken part in the public proceedings of the Catholic body had spoken in bigoted terms of the Protestant religion; and the language which that individual employed, called forth a unanimous vote of censure. Not a second Catholic in Ireland could be found to echo the opinions of Dr. Drumgoole. Why, Sir, do I mention such a circumstance? Because I wish to show, that bigotry is not to be found amongst the Roman Catholics of Ireland; and because the peculiarity of this Debate has led me into such a discussion — because hon. Gentlemen have been talking about religion, when they should be thinking of politics. This, Sir, however, is not the line of conduct which I am disposed to follow. In considering a question of this kind—in fixing my attention upon a measure of Reform, my eyes shall not be diverted either to one side or the other, nor shall I feel at all anxious whether I am upon this side to behold Catholics, and upon that, Protestants. In politics I disavow all such speculations, while I reserve for the temple of my God my religious feelings—to Him I trust my devotion is offered with sincerity, and I believe that it may not be the less acceptable because it is not tinged with a sectarian feeling when mixing in temporal matters. This, Sir, is a subject which should never have been introduced here—it is one that I abandon with alacrity, and which, if it had been possible to avoid it, I should not have touched upon. The right hon. the Secretary for Ireland, has done me the honour of quoting a letter written by me, respecting the Irish Reform Bill. He objects to that letter, because I consider it as calculated to promote an Orange ascendency in Ireland, and that it was, therefore, most likely to receive the support of the Tories. I do not, Sir, object to the right hon. Gentleman quoting my letter; but I have the most decided objection to the manner in which he has thought it fit for his own purposes, to quote it. The right hon. Gentleman was satisfied in quoting a sentence of my letter to suit his own purposes; if he wished to serve the ends of justice, he should have quoted more. It should be recollected, that, in that letter, I stated, that I approved of the principle of the Bill, but that I objected to the details. I ventured to prophesy, too, that the right hon. Secretary would be supported in those very details by the same persons who are opposed to the principle. The only objection, the only shadow of a reason, which they advanced against the principle of the Bill was, an objection to one of the details—namely, the enlargement of the franchise; therefore, the hon. Gentleman must see, that the other details of the Bill would meet with no opposition. No; he might assure himself of the support of all the Tories. The right hon Secretary knew then very well, though he did not choose to state it to this House, that it was to the details of the Bill that my objections were directed. He knew, too, that in those he would be supported by the Tories. Such is the feeling, and such, too, the opinion of the learned Solicitor General for Ireland; for he admits that the details of the Bill are conservative—that is the fashionable term, the newfangled phrase now used in polite society to designate the Tory ascendency. That they are so is beyond dispute, for you have the high authority of the Irish Solicitor General to assure you of the fact. Is it then with the details of such a Reform Bill that the Irish people will be satisfied? Are they to be satisfied with a Bill which will perpetuate among them the power of the ascendency which has withered up their hopes, and blighted their fairest prospects of peace and prosperity in their country? I tell the right hon. Solicitor General, that he is mistaken if he thinks his conservative measure will satisfy the people of Ireland. They will expect what I, in their name, demand; a Bill, the same in principle, and every way as popular, as the Reform Bill for England. With any other measure, they will not, and ought not to be satisfied; and as an humble individual, so far as I am concerned, with any other measure they shall not be satisfied. If we are to be united, it can only be done by fair and equal dealing: and the only way to amalgamate all countries into one common interest is, to give each equal freedom, and similar institutions. This is what I want; that the people of Ireland should now be amalgamated with the British constituents for the first time since the British Government commenced its sway in Ireland. The right hon. Secretary for Ireland talked of our having a population of 7,000,000; it would be much more correct, if he had said 8,000,000, for I happen to know, that there never was any thing more erroneous than the last census returns. In my own county alone there are twelve parishes not included; and in individual instances, the calculation is very different—many families are entirely omitted; my own, for instance, and I am thankful to Providence that it is not a small one; yet my family has been entirey omitted in the census returns; and I am sure it can't be considered that we are not natives of Ireland. The Irish population, the right hon. Gentleman states to be 7,000,000, I contend, that it is at least 8,000,000. Out of this population the right hon. Gentleman states, there are 52,000 persons entitled to votes.

Mr. *Stanley* said, the hon. and learned Gentleman had misconceived him; he had said registered for counties.

Mr. *O'Connell:* It is no matter; but he has said that 52,000 were entitled to vote; but is not that a very small number for a population of 8,000,000? This is an erroneous calculation, however. The 10*l.* freeholders are stated at 22,000, whereas they don't amount to 5,000. Besides this (I am confident the right hon. Gentleman has made the statement from want of information) it will be found that this enumeration is totally incorrect. Those entitled to vote in Ireland will, on examination, be found not to be half that number, and certainly do not exceed 25,000. The return includes all those who have been registered since 1790, and makes no allowance for all that have died in the interval. Thus it will appear, from strict examination of statistical documents, that out of a population of 8,000,000, there are not above 25,000 entitled to vote. And when I put forward this fact, and address myself to English Reformers, may I not justly ask, will such a state of things be permitted to continue? I call upon the Reformers of England—I call upon the men who have beaten down the oligarchy in this country—to say whether this is a measure, or this is a state of things, that ought to satisfy the people of Ireland? I now turn to those men who at their orgies toast the memory of King William in association with liberty, who hail him and celebrate him as their deliverer from Popery and slavery. I ask those men who toast William 3rd and the Revolution of 1688, will they now shrink at the very prospect of liberty? Oh! shame upon them if they do. Is it thus that they demonstrate their attachment to liberty, and their recognition of its principles? I do not call those men Protestants—those men are not Protestants—they libel and disgrace the religion of which they profess themselves the members. Those are not Protestants. I should be sorry to call those men Protestants, or at all confound them with the large body of respectable Protestants who, outside this House, are the friends and the advocates of rational liberty. I fearlessly ask, is this a measure that should, or ought to satisfy the people of Ireland? The principle of the Bill is the same for the three countries. England has got her Reform, Scotland is to get her Reform, and am I to be told that this House will be called upon to decide by a majority whether or not Ireland is to have a Reform? I ask the question again, because I feel it is one that ought to be answered. Is Ireland to have no Reform? Is this the proposition of the hon. and learned Recorder of Dublin? Is that the proposition of the noble Lord who seconded the amendment of the hon. and learned member for the University of Dublin? The noble Lord has talked of Sangrado and of bleeding. Oh! does he forget that it is not the first time that Ireland has heard of noble Lords and bleeding? She has experienced it too. If the ghosts of many a murdered victim, many a victim of the salutary system of bleeding, could "burst their cerements," and appear in their winding-sheets, their names might terrify and come with no pleasing sound upon the ears of the relatives and survivors of noble Lords who were remarkable for their love of bleeding. I am sorry that the noble Lord, of all others, has talked of bleeding; the surviving friends of many a mangled victim would scream when they heard the name of the noble Lord mentioned in conjunction with bleeding. The learned members for the University and city of Dublin, and the party by whom they are backed, will give Ireland no Reform, because they say it will throw all the power of the country into the democratical party—it will increase the influence of those who are disturbing the country, and will strengthen the hands of him whom the gallant member for Donegal has been pleased to call the hon. agitator. I will just thank those Gentlemen to look a little at the other side of the question. The best mode of putting an end to discontent is, to do justice to the people. If I know anything upon any subject it is agitation. Indeed, I believe I may be considered a pretty good authority upon the subject of agitation. I, therefore, am admitted to know something of agitation, and I have always found that there never was any real agitation unless where a real grievance existed. I do not speak of the puff and wind of agitation, such as has been raised upon the subject of Irish education, and which will produce no more effect than the wind whistling round the walls of an old house. I speak of real agitation, and I say, that I never knew real agitation to exist, unless when there co-existed, as its cause and essence, a substantial grievance. Let them give me time and place, and I defy them to point out a single instance where a substantial agitation ever existed without a real grievance. Don't grant us Reform, and then we shall have agitation in abundance. The Ministers talk of all they have given up, and the Tories talk of all they have lost. It is the peculiar good fortune of the Whig Government in Ireland that they are more disposed to favour their enemies than their friends. I will take, for instance, the ten northern counties. There they have appointed only nine Clerks of the Peace, who are Orangemen. Indeed, I will do them the justice to say, that in one county out of the ten, in the county which the gallant Colonel represents (the county Donegal), they have appointed a Catholic. There is the county of Tyrone, in which both Members are opposed to his Majesty's Government, and yet, as I understand, in that county, upon the recommendation of those Members, they have appointed as Clerk of the Peace the principal Orangeman in the county. Who have the Government appointed to the high office of Attorney General—one of the highest appointments in the country? They have appointed one of those who have always been opposed to the King's Government—I mean to the reforming Government. What did they do for the late Solicitor General for Ireland, a man always opposed to them? why they gave him a high judicial situation. But I turn back to the Reform Bill, and I ask, will you give us this additional ground of agitation? I ask the Reformers in this House do they so soon forget the services of Ireland? Do they forget that in 1831 it was the Irish Members that carried the second reading of the English Reform Bill? There was a majority of English Members against it—there was a majority of Scotch Members against it—there was a majority of Irish Members in favour of it. Do you forget this? Do you forget, too, that we have left our business, our occupations, and the study of our health, to attend here day after day, and night after night, to watch over every addition to English liberty and Scotch freedom—and do you forget this? Night after night we have been at our stations in this House, giving our most unqualified support to the English Reform Bill, not taking advantage of circumstances to dictate terms for ourselves, but generously and perseveringly giving our untiring and effectual support to every addition to the liberty of England. Do you forget this? Furthermore, when the crisis came, and when the great question arose between the Duke of Wellington and the people of England, what was the conduct of the Irish Members? We thought, indeed, for a moment of our own grievances; but we then threw ourselves manfully into the breach, and generously united heart and hand with the English people, and by our votes in this House we mainly contributed to the restoration of a Government supported by the people, and by that restoration, to the ultimate passing of the English Reform Bill. We have done all this, and after having so acted, will you, English Reformers, send us back to our countrymen to tell them that after all the services we have rendered you, yet an English House of Commons has refused to grant to Ireland the paltry boon of a miserable, jejune, and narrow, niggardly Reform Bill? I do not want to be supposed as using a threat to this House; but this I say, that if you refuse a Reform Bill to Ireland, you will have a Parliament in Dublin before six months. You hear this declaration in silence; but never mind—I prophesied before, and I was not mistaken. There is just as little danger now but that my predictions will be verified. If this House refuse Reform, I will appeal to the people of England—I will appeal to their generosity, to their good sense, and to their spirit of fairness, and I shall be sure of obtaining Reform. From the time of Henry 2nd to the present hour, it has been the constant solicitation of the Irish people to be embodied in the British Constitution. Successive attempts were made to accomplish this object, and, through mistaken motives, they were continually refused and disappointed. It was attempted in the reign of that paltry bigot, Edward 6th; successive Monarchs were applied to, who refused the application. It was attempted reign after reign, and always with the same success, for we always met with the same refusal. From that period religious persecution commenced, and the starless night of a nation's desolation followed. We survived that persecution unbroken in heart and in energy, undiminished in faith and in fortitude, we emerged from that persecution more numerous and more powerful than when we entered it. We struggled on through the gloom of our bondage—we achieved our religious equality; but during the progress of that struggle, we always declared openly and above board, that we had ulterior objects. We never disguised our intentions. I always avowed myself to be an agitator with ulterior objects. The only object of our religious equality was, that we expected it would lead to our political equality. You have admitted us within the pale of the Constitution—we ask from you, and demand that, without which we never shall be satisfied, a full and entire participation in the rights and privileges of that Constitution. What we ask, and what we have a right to ask, is full political equality. You have admitted the principle of Reform, by passing the English Reform Bill; surely you can't refuse to admit the principle, by rejecting the Irish Reform Bill. I listened attentively to the speech in which my hon. and learned friend, the member for the University of Dublin, introduced his Amendment. Indeed, as respects the speech of the noble Lord who seconded the Amendment, much was not to be expected from him. I did not much mind the rabid argument of the noble Lord, because he is a young man of very little experience, and little skilful in debate. I pass by the discursive and animated speech of the noble Viscount; but I must not avoid adverting to the chivalrous and very curious address which has been made to the House by the evangelical Recorder of the city of Dublin. This most strange specimen of the reforming genus, with eyes of habitual upliftedness, had assured us that he was a Reformer. He is certainly an excellent Reformer, and he acts well upon his theories. He is so firmly persuaded of the necessity of Reform, that he has made up his mind to vote against it. The excellent Member is so well convinced of Reform, and so thoroughly a Reformer, that he does not act upon his own theory. The pious Recorder, with that elevation of his eyes, and that peculiar gesture, which befits his peculiar piety, has assured the House that he belongs to no party. I would beg respectfully to ask, is there no Orange Corporation in Dublin? Has there been no election lately in Dublin? Was there a certain pious Judge a candidate? Were there no placards posted about the city, crying no Priests—no Purgatory—no Popery—Shaw and Ingestrie for ever? Might it not happen that the Judge who stood as candidate to-day would be called upon to try the man that voted against him the next day, or to decide a question between those who voted against him, and those who voted for him. I will not say but that his decisions would be as they have always been: but I must say, that being a bit of a Papist, I should not repose much faith in such a decision. I do not wish, however, to be understood as casting any imputation upon the judicial character of the hon. and learned Gentleman. Has the learned Recorder heard nothing of the Corporation of Dublin—a little wretched knot of the remnant of that faction that have so long cursed Ireland? The other day, when they heard that the Duke of Wellington had returned to power, in a fit of exultation they shipped the state coach to London. If, however, that elegant toy escapes the dangers of the journey, I am sorry to declare my apprehension that it will have to return to Dublin without having performed any of the functions that befit a Corporation state coach. To be sure it would be delightful to see the Recorder driving up in the city state coach to read the dutiful address of the ancient, loyal, and Protestant Corporation of Dublin, to the King, on the appointment of a Tory Administration. Indeed, I heartily pity him that he has been disappointed of a jaunt in the state coach. With reference to the danger to arise from extending the popular franchise by the Bill, I beg to remind the House that the 40*s*. freeholders have been destroyed. What a great deduction that has been from the popular power in Ireland. The right hon. Gentleman has overlooked the fact, that in Ireland the qualification is half as high again as it ought to be, when we consider the difference between the countries. He proposes to give us the 20*l*. chattel franchise at a lease of sixty years. The number of freeholders, as returned by the right hon. Secretary, is much above the real number. The chattel franchise of 20*l*., with a lease of sixty years, I have reason to know is an illusion. I know much of Ireland. I know something of Ulster; I am well acquainted with Connaught; I am completely conversant with Leinster; and I have a perfect acquaintance with Munster, for three counties of which I have been returned. I have also had great experience as a professional man, and have been consulted by a particular class, the mercantile men in Ireland, respecting their purchases of estates; and from my knowledge of the tenure by which land is held in Ireland, I am convinced that this 20*l*. franchise in chattel interest will be illusory. *The Evening Mail*, in the Report of the Tithe Committee which it has published, states that there are 700,000 acres of Bishops' lands in Ireland. There are about 12,000,000 of arable acres, so that, including other lands, there may be one-half of the arable surface of the country in the hands of the Church. The College has also a large territory. In the county which I represent there is at least one-seventh in the hands of Trinity College. All these lands are let at no longer leases than twenty-one years, so that the chattel interest of 20*l*. with a lease of sixty years, is an illusion, for no such tenure will be found in more than one-half of the country. This Bill gives us also the name of the 10*l*. franchise, which is essentially different in England and Ireland. The tenures are different, for in Ireland we never talk of a freehold in fee. The tenants in Ireland and England are placed in a position essentially different, and the 10*l*. franchise which may be good for England, will be much too high for Ireland, and instead of being the instrument of Reform, will, in many instances, be the instrument of corruption. The dangers of an enlarged constituency are much overrated. Now, I ask, what is all this foam and fury about? After the Reform Bill passes, if it be to pass, what great alteration will it effect in these boroughs? Let us first see in the nomination boroughs what constituency will it give—Cashel, for example, will have 193 voters, Bandon 233, Coleraine 184, Dungarvon 200, Kinsale 220, Portarlington 180, Tralee 246. Thus there will be 180 to give votes in Portarlington. Now I can see very little difference between the present condition and this. Hon. Members at the other side of the question affect the greatest alarm at the destruction of these boroughs. There is Dungarvon also which has at present 640 electors—these will be reduced by the Bill to 200, whose votes will be in the hands of the Duke of Devonshire—and this, forsooth, is a popular measure of Reform! There is another ground of complaint to which I will advert—namely, the registry of votes. In England no man is called upon to show his title unless by previous notice—in Ireland a scrutinizing Assistant Barrister examines it without any process being served on the man who comes to vote, calling for the production of every deed. The Barrister may put inquisitorial questions to the voter, and, through vexatious litigation, shake his independence. In Ireland 2*s*. 6*d*. is the sum paid for registry —in England it is 1*s*. Is this equality? Is this union? Can this conduce to a continuance of the connexion between the two countries? Above all, is it calculated to support Protestantism in Ireland? Though I find so much to censure in the Bill before the House, still I shall support it for the good it will effect. I will support it, because it will strike down the Corporation of Dublin—that body, despicable in their bankrupt circumstances, and disgusting for their corruption. I will support it, because it will open the borough of Belfast, and give the country the benefit of the commercial intelligence of that enlightened and flourishing town, whose Representative has hitherto been appointed by a noble Marquess (Donegal), like his groom or his footman; although I must acknowledge that this power has been wholesomely exercised in behalf of Reform. It will be delightful, however, to see that great commercial town thrown open; it will be delightful to see the strong Presbyterian good sense which prevails there, fairly represented. Many boroughs, though thrown open, will, in effect, remain still nomination boroughs—as Enniskillen; and I say, most unaffectedly, God forbid that that should not. The noble Lord, who at present influences it, resides in its neighbourhood, spends his fine fortune in his own country, and exercises a liberal hospitality, which will always deservedly give him influence there. Such men will always exercise all the influence property can give them. The Bill may cast out a few speculators—may disappoint a set of men who slander their neighbours—and who, not satisfied with cultivating their own religion, have a ferocious species of charity for ameliorating the religion of others; but it will be the first voluntary attempt, for 700 years, to combine the people of England and Ireland—the first act of real justice, which will not have been dealt out, as emancipation was, in a spirit so paltry, so miserable, as to desire that it should be accompanied by the outlawry of an individual so humble as even myself. The moment, I tell the House, has arrived for conciliating the people, and binding them to you by the links of that brotherhood for which they are as anxious as yourself. It is a period most auspicious to the perfect and perpetual reconciliation of Irishmen and Englishmen. You have done us wrong—the hour is now come when you may, with grace, make the reparation. I appeal to the generosity as well as to the manly feeling and good sense of Englishmen. England is free—Scotland is free; and with all the fervency of my heart, I implore you that Ireland also may be free.

Mr. *James E. Gordon* observed, that as he had not assented to the principles of the English Bill, the observation of the right hon. Secretary, to the effect, that unless hon. Members were prepared to contend, that the same principles which in the English Reform Bill were right would in the Irish Bill be wrong, could not in anywise apply to him. The principal objection which he entertained to the Bill was founded on its certain result in regard to the great question of Protestant ascendency in Ireland. He confessed that he was one of those old-fashioned bigots who were prepared at all risks to stand up for the interests of Protestant ascendency in Ireland, as the basis of the Union between the two countries, and as the basis of the integrity of the British empire. Let Protestant ascendency be ever so much stigmatised by the Liberals of the day, aided and abetted by the Radicals and the Revolutionists, he should ever be found ready to stand up as its advocate. The right hon. Secretary for Ireland had alluded to the borough of Dundalk as instancing the necessity of Reform. Without entering then upon the defence of that borough, he would beg leave to tell the right hon. Secretary, that the Representative of Dundalk might be the representative of constitutional principles—and might be a Representative whose opinions as much deserved attention as those of an individual who sat in that House as the avowed organ of the Whitefeet and the Blackfeet, the midnight incendiary and the robber. He could assure the House that the passing of the Bill before them would, while it destroyed the interests of the Protestant body of Ireland, never content the body who were opposed to those interests.

Mr. *Sheil* had sympathized most heartily in the endeavours of this great and magnanimous nation to gain the restitution of its rights, and as an Irishman had felt as deep an interest in the success of the English Reform Bill as he did with regard to the measure before the House. What, he would ask, was the state of the Irish Representation? The hon. member for Dundalk (Mr. J. E. Gordon) himself presented a perfect specimen of that Representation. He did not mean to speak disrespectfully of the hon. Member as an individual; he believed he might be quite sincere in his opinions; but he would say, that if he were the concentrated spirit, the aromatic essence of Protestantism, he might have selected a more appropriate place to represent than a town containing 13,000 Catholic inhabitants. What, he would again inquire, was the state of the Irish Representation? Why were eleven boroughs in Ireland represented by Englishmen, not one of whom had the most remote connexion with the land? Ought this system to continue? If Reform were granted to England and denied to Ireland, the effect would be, to raise the price of boroughs in the Irish Parliamentary bazaar. That the hon. member for Dundalk, now that the English Reform Bill might be said to have been passed, was anxious to preserve the close boroughs of Ireland, did not surprise him, since it would render them doubly valuable. They alone would then be in the market. The competition for them would be most animated. Dundalk would then be enhanced in value. Happy Tralee would be inestimable. The question was not whether they would concede Irish Reform, but whether or not they should permit the Irish boroughs to send in nominees to that House, to mingle with the genuine Representatives of the people, and exercise for all practical purposes the same privileges as would be exercised by Members for places in England. It was one advantage derived from the Union, that England could not inflict wrong upon them without injury to herself. The two nations were united by the Siamese knot, and so long as the ligature remained uncut, together they must thrive, and together they must die. That the whole of the boroughs would be thrown into the hands of a Roman Catholic democracy was an assertion without a shadow of proof, and he challenged those who made the assertion to confirm it. Hon. Members talked of maintaining Protestant ascendency; but the ascendency they would maintain was that of an aristocracy less tolerable far than the aristocracy of birth—a religious and sectarian aristocracy. It had been said, that the Protestant interest in Ireland would suffer by the threatened disfranchisement. This was incorrect in fact, as most of the rotten boroughs lay in the north, in the midst of the Protestant population. But on this head he considered that the grossest exaggeration had been indulged in. He would ask whether, after having in that House levelled the pride of the British oligarchy with the dust, they would retain and foster in Ireland that which Adam Smith called the worst of oligarchies—that of religion—of sect? Or would they endeavour to revivify that principle of religious intolerance which had been repudiated by them when the doors of that House had been thrown open to the Roman Catholics? Such, however, was the spirit of the opposition to this Bill. The surest mode of preventing the agitation of the question of the Repeal of the Union would be, to do complete justice to Ireland, in granting her a Reform as extensive as that which had been yielded to the wishes of England. He was sure that there existed among the people of England the wish to do this; that that House and the constituents who had returned them were desirous of granting to Ireland a liberal and ample measure of Reform. From the moment that the Reform Bill for Ireland was passed, there would be no longer that feeling of jealousy that had sometimes been seen to exist been the English and the Irish Members. He trusted, that it would pass, and that the people of England, who had taken so noble an attitude when the abuses of their own Representation were the subject of discussion, would preserve the same attitude when the Reform which Ireland as much required, and as earnestly demanded, was under consideration. He hoped that the course which had been recommended to secure the success of the English Reform Bill, would be adopted to provide for the safety of the Reform Bill for Ireland; that the advice of Eudoxus would be taken, who, when asked how a certain measure intended by her Majesty for the benefit of the people of England, and which was sure to pass the Lower House, was to be carried through the Upper, answered, that the example of Edward 3rd ought to be imitated. That Monarch, when he was crossed by the Lords and the Clergy, was advised, by way of remedy, to have Barons summoned in sufficient numbers to Parliament; and, by taking that advice, her Majesty might curb and cut short those Irish and unruly Lords who stood in the way of these good proceedings. He did not know whether they intended to do so now; but he thought that if a measure similar to that recommended by Eudoxus had been proper and expedient to be adopted with respect to the English Reform Bill, it would be thought to be equally proper and expedient with respect to the Irish Reform Bill. If it became a question of comparative importance, which, he asked, was the more important, to swamp the House of Lords, as it had been called, or to preserve the Constitution entire? There was a deep embodied mass of political partisanship in Ireland, which, if allowed to exist with the power it had hitherto possessed, would stand as a deadly shade between the people and the rights they claimed, and the justice they demanded. Who was it that opposed the measure of Reform? Not the ancient nobility of the empire, but a long marshalled mass of accumulated partisans, composed of ecclesiastics, who wielded the crosier for political purposes—of Scotch Peers, who were influenced wholly by Tory interest—and by a body of nobles who had been created for party purposes by Mr. Pitt and Mr. Perceval. If they were permitted, they would trample on the people, and make the Royal authority subservient to their views. He trusted, however, that their efforts would not be suffered to prevail—that a Reform Bill would be granted to Ireland, like that which had passed for England; that it would be the same Bill — not merely analogous, but identical — not similar merely, but the same. He hoped that the people of England would not only be just but generous, and justify the high expectations which had been formed of their noble conduct, at this, he might say, miraculous moment, when a Minister had quitted his place to preserve his honour, and had returned to it to save the country. He called on them to pass this Reform Bill; and, as the Irish people had shared in the peril with them, to allow Ireland also to share in the success.

Mr. *Dawson* said, he had listened to the whole speech of the hon. and learned member for Kerry with the greatest attention, and a speech less distinguished by statesmanlike views or feelings he had never heard. It was, throughout, a speech of taunt and sarcasm—a speech in which many of the institutions of the country were attacked. He was sorry to say, that the speech of the hon. and learned member for Louth (Mr. Sheil), partook of the same description of feeling. He was, however, bound to admit the truth of the argument they had both put forth; namely, that if nomination boroughs were destroyed in England, they must, as a necessary consequence, be abolished in Ireland, because, if that were not done, there would be a scene of endless agitation in that country. The hon. and learned member for Louth had, by making an attack on the hon. member for Dundalk, given a species of religious complexion to this question. His observations had nothing to do with the subject before the House; and when the hon. and learned Member accused the hon. member for Dundalk with causing, in a great degree, the agitation which prevailed in Ireland, he (Mr. Dawson) would say, that the cause of that agitation was, in reality, to be traced to the speeches delivered in that House by the hon. members for Louth and Kerry. The hon. member for Kerry did not, however, act with so much discretion as the hon. member for Louth, who confined his labours to that House. No; the hon. and learned member for Kerry endeavoured to excite agitation by speeches in Manchester, and Liverpool, and elsewhere. He was perfectly convinced, that if this Bill were passed, the doom of the Protestant Church in Ireland was sealed. He would allow the Gentlemen opposite to enjoy the triumph which they had gained—a triumph over the good sense of the people, over the House of Lords, and over the Monarch. But he would advise them, in the midst of their exultation, to imitate the example of those ancient conquerors, of whom they read in history, who, when they had gained a victory, were in the habit of directing that certain slaves should stand behind their chairs to warn them against indulging their triumphant feelings too much, since it was not impossible that reverses might finally overtake them. There were slaves behind—he did not mean in that House—and he wished those slaves behind would give the warning to which he had alluded. He believed that the right hon. Gentleman who had introduced this measure had already repented of the step he had taken. He had been baited by the thirty-one Gentlemen who pretended to be his friends, on the occasion of the tithe question, in a manner which induced him (Mr. Dawson) to pity the right hon. Gentleman. But when that number was swelled to sixty, how much more pitiable would be the situation of the right hon. Gentleman. The effort of that party would, undoubtedly, be to establish a Catholic ascendency in Ireland, and then such a state of irritation and of violence would be produced between the two parties as must render the interference of this country indispensable. The Protestants of Ireland were a determined body of men; when once they drew the sword they threw the scabbard away. They had formerly successfully opposed a Roman Catholic King and his Roman Catholic forces, although aided by England; and, if ever the time should come when they should be called on to defend their rights, they would be ready to do so. For his own part, he should, at such a moment, be found acting with his Protestant fellow-subjects.

Mr. *Henry Grattan* deprecated the tone adopted by the right hon. Gentleman who had just addressed the House—a tone calculated to create the greatest degree of agitation. He regretted, that so much irritation had been shown on this, which was, strictly, a constitutional question.

He, however, would not discuss the question on any grounds but those for which the Representatives of the people had really been sent to that House. The real question was, whether Members were to be returned to that House by half-a-dozen constituents, or by half-a-thousand. Take the case of the hon. member for Dundalk, for instance; at present the return for that place was made by thirty-two individuals; if this Reform Bill passed, it would be settled by 650; for which reason the hon. Member might well turn pale, and call the Bill unconstitutional. This, too, he would say—that, even if the Bill passed, the Irish people would never rest contented until they had obtained equal justice, by having the same laws as those which prevailed in England. He meant to support the Bill, though he did not think it went far enough; and he should have supported it with more pleasure if it had gone further.

Sir *Robert Peel:* Although he had opposed the English Reform Bill throughout, and might with perfect consistency oppose the Irish Reform Bill also, as tending to aggravate the general dangers and difficulties which he anticipated from the working of the English Reform Bill, yet it would be inconsistent with truth were he to say, that he had come to the conclusion he had formed without doubt and hesitation. He admitted the full force of the argument, that, having determined to abolish the system of nomination boroughs in England, it was the almost necessary consequence that nomination boroughs should cease to exist in Ireland. As far as the private interests of the individuals connected with these boroughs were concerned, he had not a word to say in favour of them; they must be governed by the principle adopted with respect to similar interests in the English nomination boroughs. So far as these boroughs were advantageous instruments in bringing forward persons of talent and ability—so far as they were advantageous in the practical administration of the Government, by enabling persons to procure seats in the House, who were selected to fill high offices under the Crown, but who had not the means of effecting their return by appeals to popular favour—so far, no doubt, was the evil of their destruction aggravated, by the extinction of these boroughs in Ireland as well as in England. And yet, on the other hand, the anomaly of permitting their continued existence in Ireland, after the forfeiture of the franchise here, was too notorious to be denied for a moment. Having thus stated the apparent necessity for agreeing to the principle of the Bill—if he hoped that, by going into this Committee, his objections to many of the details were likely to be remedied—if he thought that any individual had a plan to propose in Committee which would remove his objections to the measure as it at present stood, he might be content to reserve either his acquiescence in, or opposition to this Bill, until the third reading; but his experience of the English Reform Bill left him no hope that any such course would be pursued. It was vain to conceal from himself the probability that, by dint of a majority similar to that which opposed all amendments in the English Reform Bill, similar amendments would be equally resisted with respect to the Irish Reform Bill. After mature deliberation, and a full consideration of the subject, the right hon. Gentleman, the Secretary for Ireland, had given the House to understand, that the mind of his Majesty's Government was made up as to the principal details of this measure; and that, after eighteen months' consideration, this was the measure of Reform they deliberately and advisedly proposed for Ireland. Without disguising the force of those considerations, which made it difficult to destroy nomination boroughs in England, and continue them in Ireland—difficult to apply Reform to Scotland, and withhold it in Ireland, he still must reserve to himself the power of considering the effect which the adoption of this Bill might have on the means of carrying on the Government in Ireland, and on the state of those institutions in Ireland which it would necessarily affect. It was necessary to bear in mind the state of party in that country, its peculiar position with respect to the established religion, the unequal division of landed property, the circumstances under which the present distribution of that property had taken place—and then to determine whether the provisions of this Bill were in harmony with the religious establishment, the tenure of property, and the existing institutions of Ireland. He feared that they were not; and yet this was a consideration at least as important as that to which he had before adverted, which appeared to require the application of the same principles of Reform to Ireland as had been adopted in England. No man, proposing a new representative system, would think it wise to disregard the actual state of property and the actual constitution of society in the country for which it was intended. In the year 1791, when the French had to form a representative system for the first time, they resorted to certain ingenious devices, by which they might reconcile the influence to be acquired by numbers, with the influence which ought to be exercised by property. They established a different system to that which had formerly existed, and gave to property what they considered its just weight in the representative system. If this Bill passed, there could be no hope that property or the Protestant interest in Ireland would be adequately and fully represented. The learned Gentleman, the member for Kerry, said it was his object that property should be fairly represented, exemplifying what he meant by a just and liberal remark — Lord Enniskillen lives near such a place, and God forbid that he should not influence, in a certain degree, the return for that place. He is a good landlord and kind man, said the learned Gentleman; he spends his property in that part of the country from which it is drawn, and ought certainly to have an influence in the return for a neighbouring borough, not by direct nomination, but by the indirect influence of property. This was exactly what he (Sir Robert Peel) and his party had always contended for; but they had invariably been met by being told that Peers ought to have no concern in elections, and being reminded of the resolution which this House passed at the commencement of every Session, condemnatory of the interference of Peers. He had always contended, that that resolution was never meant to exclude the exercise of that indirect influence which a Peer must acquire from the possession of property. On the other side it was maintained, that it was meant to exclude altogether both the direct and indirect influence of a Peer in elections. If the learned Gentleman's doctrine was correct in the particular case of Lord Enniskillen, must it not also be correct in the instance of all other Peers? The state of the Representation of Ireland was incidentally explained by the learned Gentleman. He said he had been returned for three counties in Ireland; that was to say, that by the adoption of a political course which had made him popular, he had had such an influence in those three counties as to have been returned by each. Now certainly the learned Gentleman had not been returned for any one of those counties through the influence of property; the very circumstance that he mentioned—namely, that in three counties he had been enabled entirely to overrule the influence of property, and to effect his return in direct opposition to the influence of property, showed that property had not its due weight in determining the county elections of Ireland. He knew, that the evil of which he was speaking arose under the present system; that the objection he was making, if valid, applied, not to the Reform Bill, but to the present state of the law of elections. But the question was, would not the Reform Bill aggravate the evil, and increase the force of the objection? Would it not give new and additional strength to those influences which were, even at present, sufficient to overbear the influence of property? It was no argument in favour of a change to allege that the present system had its dangers, if the tendency of the change was to multiply those dangers. In his opinion, the operation of this Bill would exclude the influence of property, and give additional weight to numbers. Was it his fault that he was alarmed at a measure which gave greater weight to the popular voice? Was it his fault, that he was unwilling to put instruments in the hands of those who avowed, fairly and candidly, that Reform was not their object, but that they had other ends in view? The learned member for Kerry — a man who it would be vain to deny exercised more influence than any other individual in Ireland — the learned member for Kerry said, that with this Reform he never could, and never would be satisfied; that even Reform, pushed to a much wider extent than the present, would not content him. No, within this month he had placed upon record his unaltered and unalterable opinion, that Ireland never could prosper except by a Repeal of the Union—not, indeed, by a total dissolution of the connexion between the two countries, but by a repeal of the legislative union. If the learned Gentleman said, "With the measure of Reform that is proposed we will be satisfied, because it gives to Ireland a fair influence in the representative body," there might be some reason for assenting to this Bill; but when he said, "Give me that measure, not as the end I look for, but as the means by which I can proceed towards the attainment of another object," the learned Gentleman afforded one of the strongest arguments that could be advanced against the Bill. If he really and sincerely believed that that other object, the Repeal of the Union, was essential to the prosperity and well-being of Ireland, he would be an advocate for it; but he saw no prospect whatever of security for this country, no prospect of peace or prosperity to Ireland, in the dissolution of that legislative union which now connected the two countries. The desire of obtaining the Repeal of that Union made the hon. and learned Gentleman so anxious for Reform, and the dread of the consequences of its repeal made him unwilling to increase an influence which was to be directed with all its energies to that as the paramount object. The learned Gentleman said, that if the English House of Commons, were to reject this Bill, the consequence would be, the election of an independent domestic Parliament in Ireland within six months. The hon. Gentleman who spoke last, said, that the House had nothing to do on this occasion with the question of the Repeal of the Union. But, could it be denied that that Question was an essential element of consideration on this occasion, when they were told that this Reform Bill could not be a permanent arrangement, but that it was only useful as leading to the establishment of a domestic legislature in Ireland? The hon. Gentleman who preceded him felt so many difficulties with respect to the Repeal of the Union, that he suggested a measure intended to solve those difficulties, which certainly appeared ten thousand times worse than the re-establishment even of the old Irish Parliament. He would have, it appeared, two domestic Parliaments, one to sit in England, the other in Ireland, which should meet respectively in October in each year, for the purpose of settling the domestic concerns of the two countries; and which, at a later period, were to form, by their Union, an Imperial Parliament, for the purpose of treating upon all those subjects in which legislation for the empire generally may be said to consist. Was ever project so absurd! How would it be possible to have two Parliaments in England, with different degrees of authority, and meeting for different purposes? How could there be an Irish Parliament, tied up against the discussion of any but merely domestic concerns? What constituted domestic concerns? Did they include the national force—the public debt—the public revenue? If they did not, where was the use of a separate Parliament? and if they did, where was the limitation on its powers? What would be the consequence of such a proceeding? Nothing but eternal discord and confusion. Let it not be supposed, after thirty years of Union, that you could replace matters as they stood before that Union. Bad as they were then, they would become tenfold worse in case of its repeal. Suppose the learned Gentleman could carry his plan into execution, and again re-establish a domestic Parliament, did he think that any such measure could tend to the peace and prosperity of the empire? The first question to be settled in such a case would be, the apportionment of the debt between the two countries, because, if the Irish Parliament were to exercise a power of taxation, as an independent Parliament, it would be necessary, in the first instance, to determine what portion of the debt should be borne by England, and what portion should be sustained by Ireland. If Ireland took her just portion of the debt, in consequence of an adjustment between the two countries, did the learned Gentleman think that the taxation which would necessarily be imposed upon the people of Ireland, to defray the interest of that portion, would be for the advantage of that country? How many other questions of separate interest would arise, calculated to provoke the jealousies and conflicts of independent national legislatures. It was said, that the manufactures of Ireland were depressed by the competition of England, and that a domestic Parliament would give redress. What, then, were they to run the race of protecting duties and prohibitions? Was Ireland to interdict the import of cotton goods, and England to retaliate by high duties on Irish corn? He questioned not the motives of the hon. and learned Gentlemen—but, if he succeeded in his plan, instead of being the friend of his country, he would prove himself her very worst enemy. Differing thus completely from the learned Gentleman as to the ultimate measures to which the learned Gentleman looked, it followed as a natural consequence, that he should object to furnish the learned Gentleman with the means of attaining the objects he had in view. By what means did the learned Gentleman propose to carry the measure which would be entirely destructive of the legislative union? The people of Ireland, said the learned Gentleman, will never rest until they obtain it. If Ireland were never to be at peace — if she were to be involved in perpetual agitation — if there were to be clubs in every town and every county—if Irish interests were to be opposed to the English on every occasion, it was impossible to deny, that such a system of agitation might ultimately prevail, and by disgusting each country with the other, end in a dissolution of the Union between them. But why were these interests constantly to be brought before the House as the interests of rival and hostile nations? were they never to lose sight of the distinguishing terms of Protestant and Catholic; never to be at liberty to consider themselves as loyal subjects of the same King, without reference to their religious creeds? The hon. Gentleman who spoke just now said, "Give us the same laws in Ireland as you have in England." This was his complaint—the two countries are under different laws. Now, he begged to ask, in reply, where the difference did exist, was it a difference in favour of England? Would the hon. Gentleman be content to abide by the contract, and have all the laws of England? Would he have the same amount of taxation in the two countries? The hon. Gentleman wished to dry up the ocean that divided us; and he told us to look at the friendly and amicable situation in which France and Spain had been placed, since they overcame the barrier established by the Pyrenees. The wish of the learned member for Kerry, howver, from whom the hon. Gentleman did not express his dissent, was, not to dry up the ocean, but, by a repeal of the legislative union, to oppose a new, an artificial, and an insurmountable obstacle, to the connexion between the two countries. The hon. Gentleman said, give us the same laws as in England; but what course did that hon. Gentleman take upon the law with respect to tithes? Did he propose to place Ireland under the English tithe law? Far from it; his wish was not for identity of tithe law in the two countries, but for no tithe law in Ireland. What became of his complaint that the laws were not the same, when he himself was labouring to establish both in respect to taxation and to tithe, and to twenty other matters, the justice and the necessity of different laws for the two branches of the empire? It was said, that Reform could not endanger the Protestant religion—that the existence of that religion did not depend upon the nomination boroughs; but a Reform that would introduce into that House a vast majority of Representatives with views hostile to that Church, would endanger the Church. The right hon. Gentleman, the Secretary for Ireland, asked, why should the Church of Ireland be under any alarm? and he had scarcely put that question when, by a somewhat singular coincidence, two Gentlemen from the House of Lords came to the Table with an Act to which the House of Lords had given their assent, entitled, "A Bill to facilitate the recovery of Tithes in certain cases in Ireland, and for the relief of the Clergy of the Established Church." The preamble of the Bill was to this effect: —"Whereas, a combination against the payment of tithe has for some time existed in certain parts of Ireland, and the ordinary remedies provided by law for the recovery thereof have been evaded and defeated; and whereas a great number of the clergy have been, in consequence, reduced to a condition of great distress, by being deprived of their legal maintenance." Why, when they were passing bills with such preambles, could the right hon. Gentleman be very much surprised that the Church of Ireland considered itself in danger? When the laws were defeated by illegal combinations—when Members returned by the popular voice in Ireland denounced the Church of Ireland as a nuisance, could he be surprised that that Church viewed a measure like the present with peculiar sensitiveness and anxiety? The learned Gentleman (Mr. O'Connell) said, "I am not an enemy to the Protestant religion—I never declared myself an enemy to the Protestant Church;" but he added, "though I have not declared myself an enemy to the religion, or to the Church, still I am a decided enemy to the property of the Church." The learned Gentleman said, that religion might exist without such a provision for its support. That the Church, the Established Church of the empire, that

Church which pleaded the prescription of 300 years in favour of the possession of its property—that that Church was to consent to a measure which would deprive it of a portion of its legal subsistence, was a proposition which might be reconcilable to the sense of justice of the hon. Gentleman, but which it would be some time before the Church of Ireland could be brought to understand, or which it would submit to without remonstrating against it as an act of the grossest injustice. With regard to the Catholic Relief Bill, and its applicability to Ireland, he heard one hon. Gentleman lament that it had not produced the consequences that were anticipated; and he had been asked, whether his opinion was not changed as to the policy of the removal of the Catholic disabilities. He might lament that all the consequences anticipated from the removal of those disabilities had not been realized; he might lament, and deeply, too, that he had been disappointed as to the course which some persons had pursued; but he was bound to say, that he never could think that it would have been for the advantage of Ireland, or for the interests of the Protestant religion, that the Catholic Question should have remained still unsettled, and that this cause of excitement and agitation should have been added to the others which were disturbing the peace and happiness of Ireland. If he had, with a knowledge of all that had passed, to act that part over again, and if it were possible for him to foresee all that had occurred since the passing of that Act, not only in Ireland, but in other countries in Europe, he did not hesitate to say, that his opinion of the expediency of settling the question at the time it was settled would be confirmed. At the same time he must say, he did not think that the question would have been settled, if it had been foreseen that such a measure as this Irish Reform Bill was to follow within the period of three years. Changes were then made in the representative system of Ireland, which were put forward as motives for conceding the removal of the Catholic disabilities; and if the people of this country could have known at that time, that in the course of three years the changes to which he referred would be rendered of non-effect by a Reform Bill, the difficulties in the way of the removal of the Catholic disabilities would have been insuperable. When the priesthood of Ireland exercised such overpowering influence over the 40*s.* freeholders, many persons were induced to consent to the Relief Bill, because it was accompanied by a measure for the reduction of that unjust influence which the 40*s.* franchise conferred. At that time a great experiment in government was attempted; for the removal of the disabilities of the Catholics was in itself a moral and political revolution; and it would have been of immense importance to have permitted that measure to have a fair trial, without a second experiment which would tend to retard its success, and which would discourage the people of this country from acquiescing in future in any measure to which they have a repugnance. They would find by experience, not only that that measure was not a final one, but that the concurrent measure by which it was accompanied, and which induced them to consent to it, was to be altogether changed by a proceeding entered into three years afterwards. On these grounds, then, he must record by his vote his dissent from this Bill. He thought its provisions not in harmony with the institutions either of religion or of property in the country to which they were to be applied; that their tendency was to increase an influence hostile to the Established Church, and to the Union between the two countries—and that their adoption at the present time was inconsistent, if not with a compact, at least with an understanding, that the settlement made in 1829 was not to be disturbed. For these reasons, he must refuse to be a party to the responsibility of adopting this measure, if no material alteration was to be made in it: and being assured that no such alteration was in contemplation, or would be favourably considered, he knew of no better opportunity than the present of giving his vote against the Bill.

Mr. *Stanley* replied, and maintained that the Representative system in Ireland could not with any justice be allowed to continue, when a Reform both in the Representative system in England and Scotland had been agreed to by the House. In case the present Motion was rejected by the House, it would afford a ground for the hon. and learned member for Kerry to go back to his constituents, and contend, that though the measure of Reform was agreed to by the House of Commons for England and Scotland, it was refused to

Ireland. This would furnish the hon. Member with a strong argument in favour of a Repeal of the Union.

The House divided on the Original Motion:—Ayes 246; Noes 130—Majority 116.

List of the Ayes.

England.

Adeane, H. J.
Althorp, Viscount
Anson, Sir G.
Bainbridge, E. T.
Barham, J.
Baring, Sir T.
Baring, F. T.
Bayntun, S. A.
Benett, J.
Bernal, R.
Blake, Sir F.
Blamire, W.
Blount, E.
Blunt, Sir C.
Bouverie, Hon. D. P.
Bouverie, Hon. P. P.
Brougham, W.
Buller, J. W.
Burrell, Sir C.
Burton, H.
Byng, Sir J.
Byng, G.
Calcraft, G. H.
Calvert, N.
Campbell, J.
Carter, J. B.
Cavendish, Lord
Chaytor, W. R. C.
Chichester, J. P. B.
Clive, E. B.
Cradock, Colonel
Crampton, P. C.
Creevey, T.
Clayton, Colonel,
Curteis, H. B.
Davies, Colonel T.
Denison, W. J.
Denman, Sir T.
Dundas, Sir R. L.
Dundas, Hon. J.
Dundas, Hon. T.
Ebrington, Viscount
Elice, E.
Ellis, W.
Etwall, R.
Evans, Col. De Lacy
Evans, W.
Evans, W. B.
Ewart, W.
Fazakerley, J. N.
Fellowes, H. A. W.
Ferguson, Gen. Sir R.
Foley, Hon. T. H.
Folkes, Sir W.
Fordwich, Lord
Fitzgerald, J.
Glynne, Sir S.
Godson, R.
Gordon, R.
Graham, Rt. Hn. Sir J.
Hawkins, J. H.
Heneage, G. F.
Heywood, B.
Hobhouse, Sir J. C.
Hodges, T. L.
Hodgson, J.
Horne, Sir W.
Howard, H.
Howick, Viscount
Hughes, Colonel
Hughes, Ald. H.
Hume, J.
Hunt, H.
James, W.
Jerningham, Hon. H.
Johnstone, Sir J. B.
Kemp, T. R.
King, E. B.
Knight, R.
Labouchere, H.
Langston, J. H.
Lawley, F.
Lee, J. L. H.
Lefevre, C. S.
Leigh, T. C.
Lemon, Sir C.
Lennard, T. B.
Lennox, Lord G.
Lester, B. L.
Littleton, E. J.
Lumley, J. S.
Lushington, Dr. S.
Maberly, Col. W. L.
Macaulay, T. B.
Maddocks, J. F.
Macdonald, Sir J.
Mangles, J.
Marjoribanks, S.
Marshall, W.
Mayhew, W.
Milbank, M.
Morpeth, Viscount
North, F.
Nugent, Lord
Ord, W.
Owen, Sir J.
Palmer, C. F.
Palmerston, Viscount
Pendarvis, E. W. W.
Penleaze, J. S.
Penhryn, E.
Pepys, C. C.
Pettit, L. H.
Petre, Hon. E.
Phillipps, C. M.
Phillips, G. R.
Ponsonby, Hon. J.
Poyntz, W. S.
Price, Sir R.
Pryse, P.
Rickford, W.
Ridley, Sir M. W.
Robarts, A. W.
Robinson, Sir G.
Rooper, J. B.
Rumbold, C. E.
Russell, Lord J.
Russell, Sir R. G.
Russell, C.
Sanford, E. A.
Schonswar, G.
Scott, Sir E. D.
Sebright, Sir J.
Skipwith, Sir G.
Smith, G. R.
Smith, R. V.
Spencer, Hon. Capt.
Stanley, Lord
Stanley, Rt. Hn. E. G.
Stanley, E. J.
Stephenson, H. F.
Stewart, P. M.
Strickland, G.
Strutt, E.
Stuart, Lord D.
Stuart, Lord P. J.
Talbot, C. R. M.
Tennyson, C.
Thicknesse, R.
Thomson, Rt. Hn. C.
Thompson, P. B.
Throckmorton, R. G.
Tomes, J.
Torrens, Col. R.
Townshend, Lord C.
Tracey, C. H.
Vere, J. J. H.
Villiers, T. H.
Vincent, Sir F.
Waithman, Alderman
Warburton, H.
Waterpark, Lord
Wellesley, Hon. W.
Weyland, Major R.
Whitbread, W. H.
Whitmore, W.
Wilbraham, G.
Wilde, T.
Wilkes, J.
Williams, Sir J.
Williams, J.
Williams, W. A.
Williamson, Sir H.
Wood, C.
Wood, Alderman
Wrightson, W. B.
Wrottesley, Sir J.

Scotland.

Adam, Admiral C.
Agnew, Sir A.
Dixon, J.
Fergusson, R.
Gillon, W. D.
Grant, Rt. Hon. C.
Haliburton, Hn. D. G.
Jeffrey, Rt. Hon. F.
Johnstone, A.
Johnstone, J.
Kennedy, T. F.
Loch, J.
Mackenzie, S.
M'Leod, R.
Ross, H.
Sinclair, G.
Stewart, E.

Ireland.

Acheson, Viscount
Belfast, Earl of
Bellew, Sir P.
Bernard, T.
Bodkin, J. J.
Boyle, Hon. J.
Brabazon, Viscount
Brown, J.
Browne, D.
Brownlow, C.
Burke, Sir J.
Callaghan, D.
Carew, R. S.
Chapman, M. L.
Clifford, Sir A.
Coote, Sir C. H.
Copeland, Alderman
Doyle, Sir J. M.
Duncannon, Viscount
Fergusson, Sir R.
Fitzgibbon, Hon. R.
French, A.
Grattan, H.
Grattan, J.
Hill, Lord G. A.
Hort, Sir W.
Howard, R.
Hutchinson, J. H.
Jephson, C. D. O.
Killeen, Lord
King, Hon. R.
Lamb, Hon. G.
Lambert, H.
Lambert, J.
Leader, N. P.
Macnamara, W.
Mullins, F.
Musgrave, Sir R.
O'Connell, D.
O'Connor, Don
O'Ferrall, R. M.
O'Grady, Hon. Col. S.
Ossory, Earl of
Oxmantown, Lord
Parnell, Sir H.
Ponsonby, Hon. G.
Power, R.
Rice, Rt. Hon. T. S.
Russell, J.
Ruthven, E. S.
Sheil, R. L.
Walker, C. A.
Wallace, T.
Westenra, Hon. H.
White, Colonel H.
White, S.
Wyse, T.

List of the Noes.

ENGLAND.

Alexander, J.
Ashley, Lord
Ashley, Hon. H.
Ashley, Hon. J.
Astell, W.
Attwood, M.
Baldwin, C. B.
Bankes, G.
Barne, Capt. J.
Beresford, Col. M.
Best, Hon. W. S.
Brogden, J.
Burge, W.
Burrard, G.
Chandos, Marquis
Cholmondeley, Ld. H.
Croker, Rt. Hn. J. W.
Curzon, Hon. R.
Cust, Hon. Col. E.
Cust, Hon. Capt. P.
Dick, Q.
Domville, Sir C.
Douro, Marquis of
Drake, T. T.
Drake, Colonel W. T.
East, J. B.
Encombe, Viscount
Estcourt, T. H. S. B.
Fane, Col. J. T.
Fitzroy, Hon. H.
Forbes, Sir C.
Forbes, J.
Forester, Hn. G.C. W.
Fox, S. L.
Goulburn, Rt. Hn. H.
Gordon, Col. J.
Halse, J.
Hardinge, Sir H.
Hill, Sir R.
Holmes, W.
Holmesdale, Viscount
Hope, H. T.
Hope, J. T.
Hotham, Lord
Howard, Hon. Col.
Inglis, Sir R. H.
Jolliffe, Col. H.
Kearsley, J. H.
Kemmis, T. A.
Kenyon, Hon. L.
Kilderbee, S. H.
Knight, J. L.
Lowther, Viscount
Lowther, Col. H.
Lowther, J. H.
Maitland, Viscount
Mandeville, Viscount
Martin, Sir B.
Miles, P. J.
Miles, W.
Mount, W.
Pearse, J.
Peel, Rt. Hon. Sir R.
Peel, W.
Pemberton, T.
Perceval, S.
Phipps, Hon. Gen. E.
Polhill, F.
Pollington, Viscount
Porchester, Lord
Rogers, E.
Rose, Rt. Hn. Sir G. H.
Ross, C.
Ryder, Hon. G. D.
Sadler, M. T.
Sibthorp, Col. C. W.
Stormont, Viscount
Sugden, Sir E. B.
Townshend, Hon. Col.
Villiers, Viscount
Wall, C. B.
Walsh, Sir J.
Wetherell, Sir C.
Williams, T. P.
Wrangham, D. C.
Wynne, C. W. G.
Yorke, Captain C. P.
Yorke, J.

SCOTLAND.

Arbuthnot, Hon. H.
Bruce, C. C. L.
Clerk, Sir G.
Dalrymple, Sir A.
Davidson, D.
Douglas, W. R. K.
Dundas, R. A.
Gordon, Hn. Capt. W.
Hay, Sir J.
Lindsay, Colonel, J.
Maitland, Hon. A.
Murray, Rt. Hn. Sir G.
Pringle, A.
Scott, H. F.

IRELAND.

Archdall, General M.
Bateson, Sir R.
Blaney, Hn. Capt. C.
Castlereagh, Viscount
Clements, Col. J. M.
Cole, Lord
Cole, Hon. A.
Conolly, Colonel
Cooper, E. J.
Corry, Hon. H. L.
Ferrand, W.
Fitzgerald, Sir A.
Gordon, J. E.
Hancock, R.
Hayes, Sir E.
Ingestrie, Viscount
Jones, T.
Knox, Hon. J. H.
Lefroy, A.
Maxwell, H.
Meynell, Captain H.
Perceval, Colonel
Pusey, P.
Rochfort, Colonel G.
Shaw, F.
Stewart, Sir H.
Tullamore, Lord
Wigram, W.
Young, J.

TELLERS.

Dawson, Rt. Hn. R. G.
Lefroy, D. T.

PAIRED OFF FOR THE SECOND READING.

Grant, R.
Hoskins, K.
Hudson, T.
Knight, H. G.
Milton, Lord
Newport, Sir J.
Thompson, Alderman
Walrond, B.
Winnington, Sir T.

HOUSE OF LORDS,

Wednesday, May 30, 1832.

MINUTES.] Papers ordered. On the Motion of the Earl of RODEN, a Return of the Number of Applications to the Board of Education in Dublin, for New Schools under their System; or for Assistance in behalf of Schools already established; the Number of Applications in each case; and the Names and Persuasions of the Clergy, with the Places, Parishes, and Counties, from which such Applications have proceeded: and also, a Return of the Number of such Applications which have been Complied with; the Names of the Schools; the Parishes and Counties in which they are situated; and the Number of Children in each; distinguishing those in which the Application has been signed, by—1st, the Clergy of both Persuasions—2nd, the Clergy of one Persuasion, and the Laity of another—3rd, the Laity of both.

Bills. Read a second time:—Insolvent Debtors Act Continuation (England).—Read a third time; Navy Civil Departments.

Petitions presented. By the Earl of RADNOR, from Berkshire,—in favour of the Reform Bill (England); from Ten Places in Ireland, against Tithes and Vestry Laws; from Enniscorthy, and Templeshannon, to Tax Absentees for the Support of the Poor; from Corrosin, in favour of the Ministerial Plan of Education (Ireland); from Two Places in Ireland, for Revising the Grand Jury System, the Abolition of Tithes, an extensive Reform, and in favour of National Education (Ireland); and from the Trades Political Union, Dublin, to Abolish the Laws which impose Penalties on Catholic Clergymen for performing Marriages between Protestants and Catholics.—By the Earl of ROSEBERRY, from Edinburgh, for the Abolition of Slavery.—By the Earl of DERBY, from Blackburn;—by Viscount St. VINCENT, from the Staffordshire Potteries,—for Reform.—By Earl GREY, from Ross (Hereford), against the Punishment of Death; and from Romsey (Hants), in favour of the Ministerial Plan of Education (Ireland.)—By Lord ELLENBOROUGH, from Helston, to retain the privilege of returning Two Members to Parliament.

BOROUGH OF AMERSHAM.] Lord *Kenyon* presented a Petition from the Inhabitants of the Borough of Amersham, complaining of the principle on which the amount of Assessed Taxes paid by that Borough was calculated in the returns made by Lieutenant Drummond. His Lordship, when the petition had been laid upon the Table, moved that the inhabitants be allowed to substantiate at the Bar the facts stated in their Petition.

Earl *Grey* was not disposed to accede to the noble Lord's Motion; and he begged to observe at the same time, that the proper moment for discussing the question whether Amersham was or was not placed in the proper schedule in the Bill, would be when the disfranchisement of that borough came before their Lordships in Committee.

Lord *Ellenborough* was afraid that there was a difficulty in the case which his noble friend had overlooked. He did not know on what it was, that the petitioners could claim to be heard; for the Bill had been framed in such a manner, that if they were to prove all they had stated in their petition, they would not be able to get themselves out of schedule A.

Lord *Kenyon* thought that, notwithstanding the form in which the Bill had been drawn up, the petitioners, if they could prove that the return of assessed taxes they paid was incorrectly given, would be entitled to save themselves from disfranchisement.

Lord *King* reminded the noble Lord of another difficulty. The Committee had proceeded on the plan of the noble Lords opposite, to enfranchise a certain number of boroughs. It was necessary now to disfranchise an equal number, unless they meant to increase the number of Members of the House of Commons, which they had always professed themselves unwilling to do. There was no doubt that this borough, being the last in schedule A, was very near the limit; but a line must be drawn somewhere. As to the discussion about the mode of calculation, he reminded their Lordships that that question had been raised in the other House, and that a profound mathematician there had proposed to take the houses and the amount paid for them together, and to make the calculation in that manner; but the House, as it seemed to him, had properly rejected the proposal. That which was now wished to be done was what the House of Commons had refused, and he hoped their Lordships would refuse it likewise.

The Duke of *Buckingham* said, that great injustice had been done to the inhabitants of Amersham, inasmuch as the manor and rectory houses of the borough had not been included in the estimate of the taxes paid by the town, by which alone it was placed in the schedule. The case ought to be substantiated at the Bar.

Lord *Durham* thought this not a fit time to discuss the case of Amersham, and he believed, that if the petitioners were heard at the Bar, they should only have a repetition of the tedious delays of the East Retford case.

Lord *Kenyon* said, his wish was not to lessen the number of boroughs to be disfranchised, but to show that Amersham ought not to be among the number. Some other would probably be found to supply its place. He entreated their Lordships to do what he must consider only a common act of justice.

Motion negatived.

EXPLANATION OF THE EARL OF MUNSTER.] The Earl of *Munster* said, that he wished to take that opportunity of explaining to the House and to the country the course which he had felt it his duty to take with respect to the measure of Reform now before their Lordships; and also to correct certain misrepresentations which had been published respecting his conduct on the occasion of the resignation of his Majesty's Ministers. He was fully aware of the difficulties of the task he was about to enter upon, but he trusted that he should not ask in vain for their Lordships' indulgent consideration. He assured them that he would not have trespassed on their attention at all, were it not that his conduct had been made the subject of the grossest misrepresentations, the injustice of which he hoped to be able to prove to their Lordships. He must premise what he had to say to their Lordships, by declaring, that his opinions, however valueless they might be, had always been what were called liberal; and it was well known that he had always considered Reform—a moderate Reform—to be just and necessary. Indeed, many individuals were aware that in October, 1830, he had advocated, in a quarter where his opinion had been attended to, a moderate Reform, which, if it had been adopted, would, he believed, have relieved the country from the difficulties in which it was now placed. But he confessed that the extent of the present measure of Reform did alarm him; and he stated his opinion openly, for it was not his habit to hide his sentiments. Holding as he did these opinions, yet, when called to their Lordships' House, he considered it to be impossible for him to do otherwise than support the Ministerial measure of Reform; because he felt that, if he had opposed the clauses of the Bill to which he objected, he might have created a false impression respecting the opinion of one to whom he owed everything. Under these circumstances, he did not hesitate in choosing his course; and he determined to avoid, as far as in him lay, producing those results in the country, some of which of late their Lordships had witnessed, and of which

God forbid that they should see the like again. He trusted that he had vindicated this part of his conduct to their Lordships' satisfaction; but being upon his legs, he would take the opportunity of alluding to certain aspersions which had been cast upon his character out of doors. He was at first inclined to consider these calumnies hardly worthy of notice, being convinced that those who knew his character would need no other proof of their falsehood; but as they had been very generally disseminated, he thought, upon consideration, that it would be as well publicly to refute them. It had been stated that he had unhandsomely intrigued against Earl Grey's Government, and endeavoured to undermine that noble Earl's Administration. This was a very serious charge: but he would convince their Lordships, by a short and simple statement, that it could not, with any justice, be imputed to him. The truth was, that for six months before, and for twenty-four hours after the resignation of his Majesty's Ministers had been accepted, it was, from certain circumstances, out of his power to act in the manner imputed to him, even if he had been so unworthily inclined. He must, in conclusion, apologize for having occupied the time of the House so long, and state, that he had felt it to be his duty to make these few observations for the purpose of setting himself right with their Lordships and the country.

Parliamentary Reform—Bill for England—Committee—Seventh Day]

On the Motion of Earl Grey their Lordships went into a Committee on the Reform of Parliament (England) Bill.

The Committee proceeded with the disfranchising part of the Bill, and the boroughs in schedule A were read, and the question was put as to each, whether they should be disfranchised; and it was agreed that Aldeburgh, in Suffolk; Aldborough, in Yorkshire; Great Bedwin, in Wilts; Beeralston, in Devonshire; Bishop's Castle, Salop; Blechingly, Surry; Boroughbridge, Yorkshire; Bossiny, Cornwall; Bramber, Sussex; Oakhampton, Devonshire; Saltash, Cornwall; Dunwich, Surrey; Gatton, Surrey; Newport, Cornwall; should stand in the disfranchisement clause.

On the question being put, as to Camelford, in Cornwall,

The Marquess of *Cleveland* observed, that as he was intimately connected with Camelford, he would, in justice to the freemen of Camelford, take the opportunity of saying a few words. After the decided opinion which he had given in favour of the Bill and all its clauses, he, of course, did not mean to object to the proposition that Camelford should stand in schedule A. He approved of the Bill, and wished that it should pass as it came from the other House; and he, in an especial manner approved of schedule A. But he felt it to be but bare justice to the freemen of Camelford to declare, that they had acted in a most honourable manner. At the last general election, when two friends of his went down to that borough, they went there in the Reform interest, and were received with the utmost joy. He knew that Camelford was one of those places which had been called rotten boroughs, but the freemen were, notwithstanding, decided supporters of Reform, although it was injurious to their own individual interests. They welcomed his friends with the utmost cordiality, and said, that they hoped it would be the last time that they would have to return Representatives to Parliament, although they were aware that the passing of the Bill would deprive them of their peculiar advantages. They were glad to sacrifice their own privileges for the general advantage of the country. This was the sentiment expressed by one and all of them, and he thought it but just to state this much, as it redounded very highly to their credit.

Lord *Ellenborough* knew that Camelford was a rotten borough, but knew no more of it than he had heard of the noble Marquess. Of the character of the freemen he knew nothing; but taking them to be worthy of the high eulogium pronounced upon them by the noble Marquess, one could not help being sorry that persons whose character had been lauded in such magnificent terms should be disfranchised. If they had exercised their franchise in such a spirited and excellent manner, and deserved to be characterised in such high and magnificent terms, was it not a pity that they should be disfranchised? He, who thought that nomination boroughs were good for something, was glad that the noble Marquess had found reason to eulogise so highly, at least this one nomination borough.

The Marquess of *Cleveland* repeated that the freemen of Camelford had acted in a most noble and most disinterested manner.

Lord *Ellenborough*: Suppose it to be so, that was a reason why they should not be disfranchised.

Question that Camelford stand in schedule A agreed to. Castle Rising, Norfolk; Fowey, Cornwall; East Looe, Cornwall; West Looe, Cornwall; Hedon, Yorkshire; Hindon, Wilts; Higham Ferrers, Northampton; Newport, Cornwall; Newton, Lancashire; Newton, Isle of Wight; Plympton, Devonshire; Queenborough, Kent; New Romney, Kent; Old Sarum, Wilts; Seaford, Sussex; Tregony, Cornwall; Wendover, Bucks; Wootton Bassett, Wilts; Yarmouth, Isle of Wight; Whitchurch, Hants; and Winchilsea, Sussex; were also placed in the schedule.

On the question that Ilchester stand part of the schedule,

Lord *Ellenborough* asked, whether the noble Marquess had not a word to say in favour of Ilchester? It had been consolatory to him to hear the noble Marquess speak in such terms of the freemen of the nomination borough of Camelford; and were not the freemen of Ilchester, with whom the noble Marquess had likewise an intimate connection equally honourable? He should be glad to hear the noble Marquess speak in equally high terms of the nomination borough of Ilchester.

The Marquess of *Cleveland* had not intended to say a word on the subject, had he not been thus called upon. He had to say then of Ilchester, that it was not properly a nomination borough. He did not mean to say, that his recommendation would have no weight there; but he knew that he had no power to nominate the Members for that borough, and if he had recommended an Anti-Reform candidate, he was persuaded the freemen would have rejected him. Besides, Ilchester was a place of considerable importance. It was reckoned the chief town of the county of Somerset, and it was the place where the county gaol was situate, and where the sentences on criminals were executed; and he had at one time thought, that if the neighbouring parish had been joined to it, the place might have been kept out of the schedule, and held entitled to return at least one Member. But it was not a great manufacturing place, and perhaps wanted other requisites to entitle it to retain the franchise. It had a population of 6,000, and paid 1,400*l.* of assessed taxes; and if some places in the neighbourhood had been added, it would be a place of considerable trade; but he did not mean to object to its remaining in the clause.

Lord *Ellenborough:* What the noble Marquess said was of considerable importance. He said that this was not a nomination borough, so that it appeared that all the places in schedule A were not nomination boroughs. This and some other places inserted in the schedule were capable of extension, and might be placed in schedule B. He did not know what importance ought to be ascribed to the circumstance of criminals being executed in the town, but he thought that it might be proper to postpone the question as to this town till after further inquiry.

Question agreed to.

On the question that Minehead (Somersetshire) stand part of schedule A being put,

Lord *Ellenborough* said, that he was ready to admit, that Ministers could not do otherwise than take some general rule by which to determine disfranchisement; and he was inclined to believe that the combination of houses and taxes was the best that could be adopted. But while he neither objected to that test nor to Lieutenant Drummond's mode of obtaining the relative value of the boroughs, he still thought that the strict application of the principle would be a great hardship to some places. Minehead was one of these; and as Wareham had been extended into three neighbouring parishes, he saw no reason why the boundary of Minehead should not be extended into the parish of Dunster.

Lord *King* said, there was no reason to take Minehead from the place which it occupied in schedule A. It was a decayed town, and was at present in a much worse condition than some time ago. The place formerly consisted of a number of thatched houses, which were nearly all consumed by fire; and the patron of the borough, knowing that a small number of voters was more conveniently managed than a large number, took care to rebuild as few of the houses as possible. Minehead was without any trade, and was as complete a nomination borough as ever existed. Dunster and Minehead, which the noble Baron proposed to join, were two distinct towns.

The Lord *Chancellor* said, that Wareham was not placed in schedule A, and Minehead was, because the one was greatly superior to the other, both as respected the number of houses and the amount of taxes.

The Earl of *Malmesbury* contended, that several boroughs were placed in schedule

B (Calne, for example), of far less pretensions, on the score of population, 10*l.* constituency, and contributing to the assessed taxes' revenue, than several in schedule A; on the other hand, there were several boroughs allowed to return two Members of far less elective consideration than some places (Dartmouth, for instance) in schedule B. There was Chippenham, which contained exactly the same number of houses and 10*l.* voters as Calne, with some little difference as to assessed taxes, which was allowed to retain its right of suffrage while Calne was deprived of one Member.

The Marquess of *Lansdown* admitted that the places adjoining the line of disfranchisement, necessarily arbitrary, furnished cases of apparent hardship, but knew not how a remedy could be provided. Take the line where they would, and what standard they would, the place just outside the line would appear harshly treated. In the present instance, it was enough to observe, that the line had been drawn and acted upon with the most rigid impartiality.

Question agreed to.

On the question that Appleby, Westmorland, stand part of the schedule,

Lord *Ellenborough* said, that Appleby contained more burgage-tenure houses than Westbury, and it was for many reasons proper that Appleby should retain the franchise in preference to Westbury. Indeed, he considered that Appleby had a better right to one Member than any place in schedule B. He must also say, that the boundaries of the borough were not properly taken, and if they were extended to the town beyond the burgage-tenure houses, Appleby must retain its Members.

The *Lord Chancellor* remarked, it was necessary to draw the line somewhere, even at the expense of apparent partiality; and, at all events, he could not see what right Appleby had to a Member when it was evident from the returns, that it could not form a constituency of 300 10*l.* voters. He was not aware that any rule could have been adopted which would not have been open to objections; and he did not know any mode of calculation by which the relative merits of all the boroughs of England could be satisfactorily established, so that no noble Lord should make disfranchisement the subject of complaint. With respect to the boundary of Appleby, that which the Commissioners had adopted was not arbitrarily taken, but lines drawn from the boundary-stones, which were of very old standing. Even if the small additional districts which it had been proposed to include had been taken in, it would not have saved Appleby from disfranchisement, for that would not have given it a sufficient number of 10*l.* houses.

Question agreed to.

On the Motion that Amersham stand part of the clause,

The Duke of *Buckingham* observed, that the Commissioners had omitted two of the principal houses in the town—the Rectory and the Manor house. If they had been inserted, Amersham, according to the principle of the Bill, would be entitled to one Member.

Lord *Durham* defended the fidelity and impartiality of the Commissioners, and observed, that the Rectory-house was half a mile out of the town, and had never been entitled to a vote, and that the Manor-house was, in fact, part of the Rectory.

The Duke of *Buckingham* had been given to understand that the Rectory was not at the alleged distance from the town. He wished the question to be postponed, that the fact might be ascertained.

Lord *Boston* could assert, from having frequently walked the distance, that it was not the eighth of a mile.

The Earl of *Radnor* produced the map of the Ordnance Survey, not made for this purpose, and showed that the Rectory-house was more than half a mile from the church.

Amersham ordered to stand part of the schedule.

The whole of the schedule A having been gone through, the clause was ordered to stand part of the Bill.

Second clause read, namely—" And be it enacted, that each of the boroughs enumerated in schedule B, to this Act annexed, shall, from and after the end of this present Parliament, return one Member, and no more, to serve in Parliament."

The Earl of *Haddington* said, that he knew there was no practical use in opposing the clause, and, therefore, his only object in rising was, to satisfy his own mind by entering his protest against its adoption. It had been argued that, when they went a considerable way in enfranchising, they should go a considerable way in disfranchising; but a question might very properly be raised as to the manner in which that disfranchisement should take place. Perhaps the rule of combining population and the assessed taxes might, as a general rule, be satisfactory; and yet, in particular instances, it might be very unsatisfactory:

as, for example, in the case of the borough to which the noble Duke had recently adverted, in which it appeared that the exclusion of a single house might determine the question whether or not a borough should return a Member. The same might be the case with many of the boroughs in schedule B. Some of them were separated from the boroughs in schedule A by such a narrrow line of distinction, that when the subject came to be calmly investigated, it would be difficult to say why there should be any difference in their treatment. A considerable proportion of the boroughs in schedule B deserved a place in schedule A, as much as many of the boroughs in that schedule, and had been saved only by an arbitrary and unsatisfactory rule. But he had a greater objection than that to schedule B. Some of the boroughs which it contained might, with propriety (according to the principle of the Bill), have been inserted in schedule A; but there were others which were treated very harshly by being placed in schedule B, and which had a right to two Members. If the principle of disfranchisement which the Bill applied to the boroughs in schedule A were applied to the boroughs in schedule B, all those boroughs should be added to schedule A, and there should be no schedule B. Were the boroughs in schedule B nomination boroughs or not? If they were nomination boroughs, why were they left with one Member? If they were not nomination boroughs, why was one Member taken from them? Concurring with his noble friend that schedule B was the weakest part of the Bill, he should say—Not Content to its adoption.

The *Lord Chancellor* said, that in considering of disfranchisement, and in determining how far disfranchisement should be carried, it became necessary to draw some line — to adopt some criterion — formed upon such data as should appear to be most just, and which, having been so formed, should be taken by Ministers as the warrant by which they should say "Thus far will we go, and no further." Acting upon that principle, the boroughs enumerated in this schedule came naturally to be set down in it, because, according to the returns which were made, it seemed that they came within the line that Ministers had adopted. It did not follow that, because a place was unworthy of returning two Members, it therefore was unworthy of returning one.

The Earl of *Malmesbury* maintained, that the principle of confining boroughs to the return of a single Member was objectionable, as leading to contests, which would be avoided if there were two Members.

Lord *Wharncliffe* concurred in the opinion which had just been expressed by his noble friend.

Question agreed to.

Petersfield, Ashburton, Eye, Midhurst, Westbury, Wareham, Woodstock, Malmesbury, Wilton, Liskeard, Reigate, Hythe, Droitwich, Launceston, Shaftesbury, Thirsk, &c., were ordered to stand parts of the clause.

On the Motion that Christchurch stand part of the clause,

Lord *Ellenborough* contended, that they ought to proceed no further. They had formerly enfranchised to the number of 130 Members; they had now disfranchised to the same amount. On the face of the Bill there was no ground for proceeding further, especially after the vote to which the Committee had in the first instance come.

The *Lord Chancellor* denied that it was ever understood that the enfranchisement and the disfranchisement were to be precisely of the same amount. The Bill proceeded on the principle that certain boroughs which had fallen into decay should be wholly disfranchised, and that certain other boroughs should send only one Member to Parliament. This was a principle which had not been departed from by the postponement of schedules A and B. He totally denied, that the House was pledged by its vote not to disfranchise except to the extent of enfranchisement agreed on. According to one of the leading principles of the Bill, it was their business to deal with nomination boroughs on their own merits, or, more properly speaking, demerits. Schedules A and B being framed with this view, the House would perceive it was bound to proceed with them on the principle mentioned, and that there was nothing in the noble Baron's objection.

Lord *Ellenborough* maintained, that their Lordships ought not to go any further. The mutilation of these places was not required by the preamble of the Bill: many of them were considerable towns, and they ought not to be disfranchised.

The Earl of *Malmesbury* observed, that if Christchurch had been treated as Lymington had been, it would have the privilege of returning two Members. The Commissioners had added the whole parish to the borough of Lymington, and, after doing so, its claims did not equal the claims of Christchurch.

The *Lord Chancellor* thought, that the noble Earl must labour under a mistake. Lymington contained 554 houses, and the assessed taxes amounted to 1,217*l.*, while Christchurch had only 491 houses, and the amount of its assessed taxes was 732*l.*

Motion agreed to.

On the Motion that Calne stand part of the clause,

The Earl of *Malmesbury* maintained, that Calne had superior claims to Chippenham, and moved that Chippenham be substituted for Calne.

The *Lord Chancellor* observed, that the rule which had been applied to other boroughs must be applied to Calne.

Calne was ordered to stand part of the clause.

On the Motion that Helston stand part of the clause,

Lord *Ellenborough* referred to the petition which had been presented from the inhabitants of Helston, in the course of the evening, and observed, that it was well deserving their Lordships' notice. In that petition it was stated that the town of Helston paid in assessed taxes no less a sum than 955*l.*; and that it was only by the deduction which had been made of 73*l.* for the horses of the yeomanry corps, that the place was comprehended within the operation of this clause; thus making the patriotism of the inhabitants the ground of their punishment. The Commissioners had spoken in high terms of the place. In that opinion he concurred, and thought that no place was more fit to return two Members.

The *Lord Chancellor* said, that many of the persons who now kept that number of horses which, if taxed, might bring Helston within the rule, would probably discontinue the expense when they were called on to pay for them as private individuals.

Question agreed to.

On the question that Dartmouth be added to the schedule,

The Earl of *Haddington* complained of the injustice of adding a place of so much trade, population, and rising importance, to the boroughs in schedule B. Dartmouth, indeed, was one of those which approached so near to the line, that it was difficult to say why it should be placed there under the Government principle, for, although it paid less assessed taxes, it had a much greater number of inhabitants and of 10*l.* houses than many of those boroughs which were to retain two Members. The shipping amounted to 42,000 tons, and the Custom duties were above 3,000*l.* a-year.

Lord *Durham* admitted that Dartmouth approached the line very closely, but, for the reasons already stated, it would give rise to numberless claims if they were to depart from the rule already laid down.

Dartmouth was added to the schedule.—The clause added to the Bill.—Preamble agreed to.—Title of the Bill agreed to.—The House resumed.—Bill to be reported.

HOUSE OF COMMONS,

Wednesday, May 30, 1832.

MINUTES.] Papers ordered. On the Motion of Lord TULLAMORE, Copies of all Memorials or Petitions presented to the Lord Lieutenant or the Lord Chancellor of Ireland, or the Twelve Judges in Ireland, from the year 1829 to the present time, relating to holding the Assizes for the King's County in Ireland, at Tullamore, instead of Philipstown, and to the Building of a Court-house at Tullamore, with the Proceedings had therein.

Bills. Read a second time:—Army Prize Money; Militia Ballot Suspension; Clandestine Marriages (Ireland).—Read a third time:—King's Bench (Ireland).

Petitions presented. By Mr. ANDREW JOHNSTONE, from Haddington; and by Mr. WEYLAND, from King's Lynn,—against the Ministerial Plan of Education (Ireland.)—By Lord WILLIAM LENNOX, from King's Lynn; and by Mr. O'CONNOR, from Mayo,—in favour of the same Plan.—By Mr. DIXON, from Glasgow;—by Mr. LEE LEE, from Ilminster; and by Lord WILLIAM LENNOX, from Holywell (Flint),—for Stopping the Supplies.—By Mr. DIXON, from Reading and from Beverley (Yorkshire);—by Mr. O'CONNOR, from Roscrea;—by the ATTORNEY GENERAL, from Nottingham;—and by Mr. HUGHES HUGHES, from Oxford,—against the Punishment of Death.—By Mr. WEYLAND, from Mostinei, in favour of the Poor Allotments Bill.—By Lord TULLAMORE, from King's County, for removing the Assizes to Tullamore.—By Mr. EWART, from the Owners of a Theatre at Liverpool, for Repealing the Laws relative to Dramatic Performances.—By Mr. HUNT, from Individuals confined in Lancaster Gaol, Complaining of the Cruelty of the Jailor.

DISTRESS IN THE WEST INDIES.] Mr. *Marryat* presented Petitions from the Island of Grenada, from St. Lucia and Trinidad, Crown colonies, praying more extensive Protection to the interests of the West-Indian planters, for a reduction of the Duty on Sugar, and against all further interference with the Slaves. The situation of these Crown colonies formed an anomaly in the history of the British Constitution. That a class of people, whom the law recognizes as British subjects, should be practically shut out from the pale of the British Constitution; that they should be deprived of the inestimable advantages of British laws and Trial by Jury, taxed without Representation, and governed by foreign laws, which invest the Governor with arbitrary and despotic authority, appeared a case of hardship and injustice which would scarcely be supposed to exist in the British dominions; yet such was the actual state of the Crown colonies. They continued to be governed by the laws of the nations from whom they were conquered, and those laws were modified by Orders in Council, often framed in utter ignorance of the peculiar habits and customs of the people. The Crown, by its representatives, levied taxes at pleasure, and appropriated the revenues of the colonies without any control on the part of the inhabitants. The practical effect of taxation, without representation was exemplified in the enormous amount of taxes which were there levied, in comparison with those colonies which, through their local legislatures, taxed themselves. The colony of Trinidad was taxed treble the amount of Grenada, its equal in resources and population: and a similar comparison existed between St. Lucia and St. Vincent. The greatest absurdity, however was, that these colonies were still governed by the laws of foreign countries. St. Lucia had in no way fared better than the other colonies. Since the conquest, she had been governed by that most obsolete and absurd code of laws such as existed in France previously to the French Revolution—a code which was not in existence in any other part of the world. The administration of the law was no less absurd than the law itself. The present Chief Judge was profoundly ignorant of the French laws, and of the French language; and a Puisne Judge had been appointed to assist him, who neither spoke French, nor knew any thing of the French laws; and, in consequence, no criminal court for the gaol delivery had been held since Mr. Jeremie, the late Chief President, left the colony. The present Government had shown a disposition to redress these grievances, having reduced many expenses, and reformed many abuses; much, however, remained to be done; and he trusted that the settlement of the Reform Question would give them leisure to afford that redress which these colonists had a right to demand. Regarding the Order in Council, he could not go the length of the petitioners in calling for its repeal, but he concurred in praying for the modification of its provisions. It was a crude and indigested code of legislation, equally unpopular with the slave and the master, and almost impossible to be carried into execution. The colonists justly complained, that in a time of unparalleled distress, they were called upon both to increase the expenses of cultivation, and to diminish production. They were already taxed to the utmost extent they could bear; and they could not, out of their own resources, pay the expense of Protectors, who, being appointed by the Government at home, for public purposes, should be paid out of the public purse. He wished to draw the attention of the House for one moment to a "Statement of the decrease of the slave population in the sugar colonies," signed and circulated by the hon. member for Weymouth. The object of that statement was, to show that a large decrease had annually taken place in the slave-population in a certain number of years, namely; 52,887 in eleven years: and the inference the hon. Member drew was, that the slave-population was annually decreasing at this average ratio, and that in order to prevent their utter extinction, no remedy remained but the immediate abolition of slavery. But the mortality of which the hon. Member complained was decreasing. In Demerara, the decrease in the number of slaves in 1820 was 2,272; in 1829, it had diminished to 1,045, more than one-half; and the Registrar, in his report, stated it to be his opinion, that his next return would show an increase of population in that colony. In Grenada, where the annual decrease, on an average of twelve years, was stated at 216, the return of 1829 shewed a decrease of fifty-nine only, and the births in that year exceeded the deaths, being 736 to 730. In Trinidad, where the average mortality was stated at 400, the decrease by the last returns was only 180. In St. Lucia, where the annual decrease was stated at 150, he had the authority of the noble Lord, the Under Secretary of State for the Colonies, for stating an increase of ten per cent in the population, and moreover, an increase in the production of sugar also, which showed that sugar cultivation had not the devastating effects ascribed to it by the hon. member for Weymouth. He moved that the petition be read.

Lord *Howick* observed, that if hon. Gentlemen would take the trouble to look at the papers that had been printed upon the subject, they would there have an opportunity of making themselves acquainted with the reasons which had influenced the conduct of his Majesty's Government. His hon. friend had made a mistake in saying that the Judges could not speak French, and knew nothing of the French laws, for they were both taken, he believed, from the Bar of Guernsey. The salaries, however, were so small that it was difficult to get proper persons to accept the situations. He could also assure the House, that the Government had the greatest desire possible to curtail the expenditure of these colonies, and as his hon. friend said, had already done something to establish economy in the administration.

Mr. *Hunt* inquired of the noble Lord opposite, whether it was a fact that the House of Assembly in Jamaica had refused the supplies?

Lord *Howick* said, that some despatches had been received, though not precisely to the effect stated. Some clauses had been introduced in the bill relating to the poll-tax, and considerable discussion had taken place; but no step had been definitively taken at the time the last communications were despatched.

Mr. *Burge* wished to know if there were not other colonies which had refused the supplies?

Lord *Howick* admitted, that in one or two of the colonies refusals had taken place.

Petition to be printed.

BREACH OF PRIVILEGE—CASE OF PROCEEDINGS OF COMMITTEES.] Mr. *Stanley* called the attention of the House to a breach of the privileges of that House, which had been committed, and which had been attended with consequences of the most serious kind. A Committee of that House had been sitting above-stairs, and a draft of their report had been prepared: that draft—not the report itself—but the draft had found its way into the public papers. The Committee had taken steps to discover how that Breach of Privilege had been committed, and in consequence of the information which reached them, they called before them a Mr. Sheehan, who was at present in London, and who was one of the proprietors of *The Dublin Evening Mail*, the first paper in which the document in question was published. Mr. Sheehan, when called before the Committee, acknowledged that it was through him the document in question obtained publicity. He further stated, that he had obtained a copy of it not from or by means of any member of the Committee; but he declined giving any further information on the subject. He (Mr. Stanley) therefore moved, that Thomas Sheehan be called to the Bar to-morrow.

Mr. *Hume* inquired whether or not the publication in question was an exact copy, or merely an abstract of the draft of the Report?

Mr. *Stanley* said, it was nearly a correct copy, but some part of it had been omitted; at all events, it was not the Report of the Committee, though it was published.

Mr. *O'Connell* wished to know how such a publication was a Breach of Privilege?

Mr. *Stanley* said, it purported to be a Report of a Select Committee of that House, and was not so.

Mr. *Hume* observed, that they every day saw instances of speeches and proceedings of that House purporting to be what they were not. Publications were to be found which put forth falsehoods of that description; and were they to call for the Editor on every such occasion? Whatever rule was to govern their conduct, he wished it to be fixed and understood.

The *Speaker* observed, that such publications would be Breaches of Privilege, whether correct or incorrect, though it might not be always convenient to notice them: that the hon. Member knew as well as any one.

Mr. *Stanley* said, it was a matter of the very highest importance that that House should see that none of its officers, intrusted with papers for private circulation, had been guilty of misconduct. Nothing could be more inconvenient than the publication of such papers, and under such circumstances. There was, for example, the Committee on the affairs of the Bank, sitting at the present moment, and any disclosure of their proceedings could not but lead to pecuniary speculations of the most unjust and most injurious character. Respecting the very draft of a Report to which he had alluded, it was upon a subject as to which the greatest excitement prevailed; and it was not to be endured that the publication of it, purporting to be the Report actually agreed to by the Committee, should take place in Ireland, and that such a document should be criticised in every journal, from one end of Ireland to the other, as the deliberate and recorded decision of a Committee of that House on a subject of the utmost delicacy and importance. In justice he was bound to state, that the printer to the House, the moment the matter was mentioned, came forward and declared that no copy could have been surreptitiously obtained through his office, and expressed an earnest desire that the whole matter should, without delay, be fully investigated. Through some negligence, or through some criminality, a copy had been surreptitiously obtained; and it was also ascertained that one of the members of the Committee had not received his copy of the draft.

Mr. *Ruthven* deprecated any interference on the part of the House.

Lord *Milton* said, that the House must come to some decided understanding, either to punish in the way which was open to them, or to connive at and sanction the publication of such documents. The right hon. Gentleman (Mr. Stanley) had pronounced these disclosures inconvenient to the public service, but he would say, that they were most injurious, and would add, that no Committee could deliberate fairly and safely if documents of this description were circulated before they were agreed to by a Committee.

Question agreed to.

ABOLITION OF CAPITAL PUNISHMENTS.] The House, on the Motion of Mr. Ewart, in Committee on the Bill for Abolishing Capital Punishments in certain cases.

Sir *Robert Peel,* to a certain extent, agreed in the principle of the Bill; he was, at the same time, bound to say, with respect to one particular offence, from which the punishment of death was removed by this Bill, that he apprehended great evil might possibly arise from such a provision: he alluded to the offence of stealing in a dwelling-house, which stood on a very different footing from other offences enumerated in the Bill. There was a wide distinction between stealing in a dwelling-house, and stealing cattle. In the latter case, he had ever been an advocate for modifying the severity of the law. At the same time, his view had always been, that such a modification to be effectual and permanent, should be gradual; the country then became reconciled to it, and the Legislature was enabled to judge of the effect of mitigation by cautious and safe experiments. He was by no means decided as to the policy of an immediate and absolute remission of capital punishment in the case of horse-stealing. That offence stood on different grounds from the offence of cattle-stealing. The moral guilt, indeed, was the same; but the inducements to the commission of the two offences did materially differ. In the case of the horse, the property was frequently more valuable, the protection less, and the chance of detection smaller; not only because the animal stolen offered the means of escape, but because from the demand for horses in foreign countries—the facilities of exportation were at hand. However, if the House was of opinion that the punishment of death was too heavy for horse-stealing, he should not press any doubts that he might entertain upon the subject. It was impossible to deny that, in every case of an experiment in legal enactments, the result might turn out to be very different from what general expectation supposed it would be. Take the case of the Game Bill. He was as fully convinced as any one else that the time had arrived when the experiment should be made; but that experiment had not, he feared, proved satisfactory. To be sure, in consequence of the recent passing of the Act, an encouragement might have been given to poaching, which would soon diminish, and perhaps sufficient time had not yet elapsed to justify a comparison of the state of crime under the new law with the state of it under the old. There appeared, however, reason to doubt whether the legalizing of the sale of game would have the effect in diminishing poaching, which it was expected and intended to have. With respect to taking away the punishment of death for stealing in a dwelling-house above 5*l.*, he was apprehensive that that might prove a dangerous experiment, and that the removal of the capital punishment might hold out a temptation to offenders. It should be remembered, that this was sometimes a very aggravated crime, accompanied with gross breach of trust, especially in such a city as London, where property to an enormous amount was frequently left in the care of servants. Such a case as this, for instance, might possibly arise—a gang of robbers might be admitted into a house, through the privity of a servant; they might be prepared for the commission of acts of the greatest violence (though, by accident, none might take place), and yet, as there was no burglarious entry of the house, whatever might be the amount of property stolen, the lives of the guilty parties would not be hazarded. For his own part, he could hardly conceive a more serious offence than that which he had described; and when he considered the facility with which crime was committed in the metropolis, he must say, that he looked upon this as a most dangerous experiment. He therefore trusted that hon. Gentlemen would reserve for themselves the power of making an alteration in the Bill, if it should be deemed proper.

Lord *Althorp* admitted the importance

of the subject to which the right hon. Baronet had called attention. Stealing in a dwelling-house was certainly a very grave offence, but he did not think that the number of offences of that description would be diminished by rejecting the proposed measure. After giving it all the consideration in his power, he was of opinion, that the abolition of the punishment of death for stealing in dwelling-houses would not be productive of any of the mischievous consequences anticipated by the right hon. Baronet. To have capital punishments multiplied on our Statute-books, for crimes for which the punishment was seldom or never enforced, was, in his opinion, highly objectionable; and it was chiefly on that ground he supported the Bill now under consideration. With respect to the Game laws, he thought there had not yet been time to ascertain the effects of the bill of last Session.

Mr. *Weyland* said, that in Norfolk the new Game law had answered very well.

Mr. *O'Connell* begged to give his best thanks to the hon. Gentleman who had introduced this Bill, which, he believed, would prove highly beneficial. He knew a good deal of the criminal practice in Ireland, and he could state, that for many years there had scarcely been a case of the crimes included within this Bill that had been punished with death. Indeed, he knew but of one person who had been executed for horse-stealing; and that was more than twenty years ago: that was a very melancholy instance: the Jury had recommended the man to mercy; but it so happened that the Judge at that very time resigned; and there being, therefore, nothing to require his return to Dublin, he neglected to transmit the recommendation to the proper quarter, and the man was, in consequence, executed. This was, certainly, a reason with him against leaving the punishment of the offender in the discretion of the Judge.

Sir *Robert Inglis* thought, that stealing in a dwelling-house was no longer a capital offence, and that this part of the Bill was unnecessary.

The *Attorney General* said, as the law stood at present, all stealing in the dwelling-house was not punishable with death. Supposing that a servant let in a gang, and they found nothing to the value of 5*l.*, that servant could not be capitally punished, though, surely, his offence would be quite as great as if the gang obtained a 10*l.* booty. It might be a fit question to consider of a proper punishment to be awarded to such a conspiracy on the part of the servant; but he stated the law as it stood at present. Taking the law upon its general principle, he had always thought that its severity defeated itself. The right hon. Baronet had supposed a case, and he (the Attorney General), therefore, would suppose another. Supposing a man passed by, and saw the hall-door of a house standing open, and he went in and stole a great coat worth 6*l.* or 7*l.*, that man's life would be forfeited according to the law; but, what was still more singular, if a servant was convicted, as a servant, of the same offence, the punishment would not be capital.

Sir *Robert Peel* said, that it was impossible to look at the state of the criminal law, and of the prosecutions in this country, without feeling a strong desire to improve the whole system connected with criminal prosecutions: but he must confess that he had found the greatest difficulties in the way of such general improvement. In looking at the state of the criminal law in Scotland, he had always considered that both the theory and the practice of it had much to recommend them; but then, again, the difficulty of introducing the customs of another country into this would be very great; so that it did not follow, even though it was conceded that the system was better in Scotland than in England, that it admitted of adaptation to the latter country. In Scotland there was this great advantage—that there was a public prosecutor, or, in other words, a person who never acted from feelings of anger or irritation—who never prosecuted vaguely or lightly, or allowed a person charged to escape through favour or partiality, or the unwillingness to incur the trouble and expense of prosecution. In this country, on the other hand, persons were generally disinclined to prosecute: when a man was robbed, his first impulse was probably to punish the offender; but, after three or four days' reflection, he began to weigh the cost of prosecution, both in money and time, and speedily came to the conclusion, that to exert himself for the purpose of convicting the culprit would be (to adopt a vulgar saying) throwing good money after bad; and the consequence was, that there were few men so public-spirited as willingly to undertake the vindication of the law. Surely that was a defective system which threw upon an individual, already aggrieved by the loss of property, the serious additional expense of making a public example of the thief. With respect to another branch of the subject, it was impossible to deny, that our state of secondary punishment was most inefficient. But, though it was very easy to make that assertion, it was, on the other hand, very difficult to introduce a more effective system. In the first place, he could not admit that the fear of death had no effect on the mind of a man about to commit an offence; it surely had, at least, as much effect in deterring him from the crime as it could have in deterring an aggrieved party from prosecution. But in what did the secondary punishments of this country consist? In imprisonment, and in transportation. Now, take the case of Fauntleroy, for instance. Would his case have been adequately met by either of these punishments? Supposing he had been imprisoned, and supposing he had contrived to retain (which was extremely likely) a large portion of his ill-gotten property, it would have been difficult to prevent the application of it, in some way or other, to his advantage. If he was visited with more than ordinary severity, and he conducted himself plausibly, he would become an object of public sympathy, and of constant solicitation in his favour. If, on the other hand, he had been sent to New South Wales, could he have been subjected there to any degrading species of servitude? Would it not have revolted public feeling to see a man of talent and education filling a menial office? The immediate spectacle of inflictions so unsuitable to the previous habits and acquirements of an offender soon awakens a sympathy, which is more powerful than the feeling of resentment at his crime, or even than the sense of the abstract justice of the punishment. With respect to the proper punishment for stealing in a dwelling-house, he must again take an opportunity of saying, that, in his opinion, the Legislature ought to take the matter most seriously into its consideration before it consented to abolish the punishment of death in all cases coming under this head. Supposing a servant opened his master's door to a gang of thieves, and 3,000*l.*, or 4,000*l.* worth of property was stolen; was not that a most serious case? If the same robbery was committed by means of a burglary, it would subject the offender to capital punishment; was not the moral guilt, at least, as great in the case which he supposed, wherein there was a gross breach of trust; and was not the danger to society, at least, equal? The hon. and learned Gentleman had put the case of a man stealing a great coat: that that offence should be punished with death was, certainly, very revolting; and he, for one, would give his ready consent to such an alteration of the law as would preclude the possibility of such an infliction. But this Bill went much further; it attempted no distinction, but exempted, without qualification, the crime of stealing in a dwelling-house, however aggravated, from the punishment of death. From his experience of the state of crime in London, of the desperate characters it contained, and of the inefficiency of secondary punishment, as at present administered, he certainly must confess, that he viewed this alteration in the law with apprehension; and he thought that the evil of retaining the capital punishment, at least for the most aggravated cases of robbery in a dwelling-house, was less than the probable evil of encouraging desperate offenders to the commission of a very serious crime, by the assurance of complete indemnity so far as their lives were concerned.

Mr. *Godson* thought it was highly desirable to remove any punishment from the Statute-book which was never carried into execution.

Mr. *Fowell Buxton* said, the right hon. Baronet had spoken of prosecutors being influenced by two motives, and that it was difficult to say how much either of these induced them to save the life of a criminal. These were, their respect for human life, and the desire to save their own pockets. But what could the right hon. Baronet say of Judges and Jurors who also agreed in many cases to do what they could to spare a criminal? In their case their pocket was not concerned, and they could only be actuated by the desire of saving human life. He had formerly quoted in that House many instances in which Jurors and Judges combined to bring in the value of an article which really was worth 30*l.* or 40*l.*, to be of the value of 10*d.* or 15*d.* or 20*d.* In all such cases—and it was well known that they were numerous—there could be no other motive than that of the desire to save human life. He supported the Bill.

Mr. *Charles W. Wynn* hoped that the anxiety he had always displayed to promote the success of those laws which went to spare human life, would be an apology to the Committee for his trespassing during a short time on their attention. The arguments which he had heard on the subject, seemed to him rather to prove the necessity of a more specific classification of crimes, and adaptation of punishment, than the propriety of altogether abolishing the punishment of death. In general, he thought that punishment ought not to be inflicted; but now to abolish it, to repeal all the laws which inflicted it, would be acting not a bit more wisely than the Legislature formerly acted, when it inflicted death indiscriminately on the boy who put his hand through a hole in a window, or the man who quietly opened a door to steal, and the midnight burglar who broke into a dwelling, and was ready to assassinate those who opposed him. He agreed, therefore, with his right hon. friend (Sir Robert Peel), that it was not desirable to take away the capital punishment from all offences, but it was desirable to limit it to those burglaries which were committed by night. As to horse-stealing, which was a capital offence, the punishment was made great in proportion to the facility with which the offence could be committed, and the greatness of the temptation. That was not, in his opinion, a correct principle. Those circumstances showed that the crime might be committed without much depravity, and consequently, they were arguments for making the punishment comparatively small. As a means of preventing this crime, he thought it was desirable that horses should only be exported from particular places, and that books should be kept, describing every horse exported. He was aware that such precautions would not wholly prevent the crime, but they might render the successful commission of the offence much more difficult. In his time he only remembered one case of the punishment of death for horse-stealing being inflicted, and that was inflicted rather for other offences than for the crime of horse-stealing—that was the case of the man Probert, who had stolen, he believed, but one horse, while other persons who had more frequently stolen horses were pardoned. He objected to the principle of making value the criterion of offences. To every plan of remedying these evils, however, some objections might be made. Secondary punishments might be applied, but objections were made to exposing a well-educated man to work with felons; and the circumstances which were really an aggravation of such a man's offences, were pleaded in mitigation of his punishment. Perhaps branding might be usefully employed as a secondary punishment, and it might be particularly applicable to such a person's offences. Solitary confinement was only a punishment in some cases, and in some was found to be no punishment at all. Imprisonment with other felons only led to a general corruption of manners, and to the commission of greater offences. The propriety, however, of abolishing the punishment of death in all the cases stated in the Bill, must depend on the efficacy of the secondary punishments recommended by the Committee now sitting on that subject. On the whole, he was favourable to the Bill.

Mr. *Lamb* agreed with the right hon. Baronet (Sir Robert Peel), that the general increase of crime deserved the most serious attention of Government, but those offences which were enumerated in the Bill had not increased. In cattle and horse-stealing, for instance, there was some decrease since 1825. This was a consolatory reflection, for those offences were carried on in general by gangs of men, who entered into combinations, and were prepared for other offences. Their schemes showed deliberate wickedness. Sheep-stealing certainly had increased, but that was a crime which might be perpetrated without any combination, and by labourers, tempted by a state of temporary distress. He was happy to say, notwithstanding the increase of crimes, that the number of female malefactors had not increased; and, indeed, since 1829 the number had rather decreased. This was, also consolatory; for when the female part of the community was in a wholesome and sound state, there was good reason to hope, their influencewas so extensive, that the whole would improve. In general he approved of the Bill; but with respect to stealing in a dwelling-house to the value of 5*l*., he admitted that he had entertained some doubts as to the propriety of taking away the punishment of death for that offence. That crime was the only one depending on the criterion of value that was now punished with death; and it would be, he thought, desirable to get rid of that. Nothing was, in his mind, more disgusting than the shifts to which Judges and Jurors had recourse in order to reduce the value of the articles stolen. It had been suggested that it would be a good plan to raise the value to 100*l*.; but he doubted if that would answer. In all cases it was assumed, that the punishment of death prevented crimes. Admitting that it did in some cases, did no worse consequences follow from it? If it were not inflicted according to the public sentiments, did it not revolt the people against the law itself? If it in no case prevented crimes, of course it ought in no case to be inflicted. Under such circumstances, let them, he would say, at least sweep away the punishment of death in every case in which its infliction was not supported by the public sentiments. After much reflection, and after admitting that he once had some doubt on the subject, he was prepared, without any reluctance, to vote for the repeal of the punishment of death in the whole of the cases mentioned in the Bill.

Mr. *Shaw* had never before heard of the case mentioned by the hon. and learned member for Kerry, and he was quite sure the conviction in that case could not have taken place from the motives assigned by that hon. and learned Member. He gave his support to the measure.

Mr. *John Campbell*, after much experience, was prepared to say, that he thought this Bill highly beneficial. The law was now in a bad state. The capital punishments were not ordered, as some hon. Members seemed to suppose, to be remitted at the pleasure of the Judges. During the reigns of Anne, of George 1st, George 2nd, and the early part of George 3rd, almost all the persons convicted under these laws were executed; but it was not found that the crimes decreased. With respect to sheep-stealing, it was said of Mr. Justice Heath, that he always left a sheep-stealer for execution, from which it came to be rumoured that the learned Judge himself had a favourite flock of sheep, to save which from depredation he adopted this course. This, in fact, was not true, for the circumstance arose from that learned Judge being always rather fond of severe punishments. With respect to horse-stealing, he knew of but one case of death being inflicted for that, and that occurred at Stafford. He believed the Judge ordered the punishment to be inflicted because the man was found with a pistol in his possession, though that arose from an accidental circumstance, and it was not proved that he had any intention of using it. With respect to stealing in a dwelling-house, if a servant got up in the middle of the night, and admitted a gang of thieves, he contended that both he and they were guilty of burglary; because, the servant having no authority to open the door, all the parties stood in the same situation as if they had broken into the house; so that the objection on the score of there being no adequate punishment for the servant's breach of trust, did not hold good. But, at all events, the Legislature was bound to choose the lesser of two evils; and he would ask hon. Gentlemen, whether they were content that the punishment of death should be awarded against a man who ran in at an open street-door and stole a great coat from the hall? Since he had gone the Oxford circuit, it had been melancholy to observe how much crime had increased; though from what cause that increase had arisen, he would not take upon himself to pronounce. With respect to secondary punishments, there was a great difficulty experienced. Branding would, he believed, only excite the commiseration of the public, and it would for ever exclude a man from society.

Mr. *Lennard* said, that the observations which had been made by the right hon. Baronet opposite pointed to a great defect in our mode of legislation, namely, that of classing a variety of crimes, differing in degree, under one common denomination. For instance, it seemed absurd that he who entered a house armed at night, prepared to commit murder, if necessary, in the execution of his purpose, should come under the same class of offenders as a child would who, after dark, should break a pane of glass and steal a cake. This was a point well worthy the attention of Government, and he hoped that something would be done to improve the laws, by making the punishments enacted by them bear some proportion to the nature and character of the crime. With respect to the particular crime which had been alluded to principally in the course of the Debate, namely, the crime of stealing in a dwelling-house—he admitted there were cases of aggravation, such as were stated by the right hon. Baronet; but still it must be recollected, that the crime was not one likely to lead to personal violence, and as he was averse to making the amount of value a criterion in case of life, he should support the Bill in its present state. With reference to what had been stated by the right hon. Baronet, in regard to secondary punishments he thought the difficulty of making them effective had been over-rated. In the case of Mr. Fauntleroy, of whom it had been said, that under any system of secondary punishments he would be living in luxury, he would ask, could no law be devised which should prevent that? and further, how could these luxuries be obtained, when it was known, that by the commission of such an offence as that for which he suffered, his property would have been forfeited? He felt a great objection to the present law, on account of the large discretion vested by it in the Judge. Practically, the law was exactly in the same state as if it were to be enacted that the punishments for the crimes of horse-stealing, sheep-stealing, and stealing in a dwelling-house should be transportation, but with a proviso that the Judge at his discretion might increase the punishment to death. Would the House consent now to enact such a law? If it would not, why retain a law which, in practice, did the same thing? Allusion had been made to the difficulty of finding prosecutors. He believed that the Bill of his hon. friend tended to remove that difficulty, by making the enactment of the law more conformable to the feeling and humane spirit of the people of this country.

Mr. *Cutlar Fergusson* said, it had been proved by Sir S. Romilly, that in the early period of the history of these laws, two-thirds of all the persons convicted under them were executed, while at a later period not one-eighth of the persons convicted were capitally punished. He thought it extremely desirable to limit the discretion of Judges, which must be done by classifying the laws. They were necessarily intrusted with much discretion, because the Legislature had jumbled many different offences under one head. That system was defended on the grounds taken up by Dr. Paley, who praised the English law because it swept into the net of crime every offence which merited the punishment of death. But Sir S. Romilly had demolished that statement by showing that such was not the object of these statutes, but it was intended to carry them into execution. Sir S. Romilly had mentioned a curious instance of the manner in which these laws were executed. It occurred on the Norfolk circuit. Two men broke into a poultry-yard, and stole some fowls; one of them was apprehended, and the other absconded. The one who was taken up was tried before Lord Loughborough, and sentenced to a few months imprisonment. The other, who had absconded, on hearing this, surrendered. Mr. Justice Gould presided at this trial, who was an amiable and humane man, but he had formed a theory that persons who began by these small crimes generally ended by committing great crimes, and he sentenced the second man to seven years' transportation. What a spectacle of the law did this afford to the public of that place, who saw as one man was coming out of prison the other sent off to Botany Bay. The system he considered every way wrong. To how much perjury, too, did our system in this respect lead? Parties in the witness-box did not give a true account of the transactions which they were to speak to, in order that the criminal might escape the capital punishment; and the Jury often violated their oaths by finding a thing to be worth only 39*s*., which they knew to be worth more than 40*s*. Such practices must produce the most injurious effects, by accustoming the public to perjury. It was most important, therefore, that this Bill should follow up the labours of the right hon. member for Tamworth, to whom he (Mr. Fergusson) gave infinite credit for what he had done. He had been the first successfully to attack old abuses. At one time, every amendment of the law was declared, even by Judges of the land, to be revolutionary. When the Bills of that great man, Sir Samuel Romilly, were introduced into the House of Lords, they were denounced as having a revolutionary tendency, which would prove to be destructive of all property. That great man did not live to see his plans carried into effect; but the labours of his (Mr. Fergusson's) hon. friend would now give the country that satisfaction. He rejoiced that the House had received this measure without a dissentient voice; and he trusted that the Bill would not fail to pass into a law. He would recall to the recollection of the Committee that this was not the first time the House had assented to the principle of this Bill; for Sir Samuel Romilly's Bills had passed that House, and were only lost in the Lords. This principle was now well understood by the country, and its success would give general satisfaction. He was not one of those who pretended to say, that society had no right to visit any crime with punishment; for society had a manifest right to do what was necessary for its own preservation; but a proper case ought always to be made out, to justify the infliction of a given punishment. In his opinion, the stealing of horses or cattle might be accompanied with circumstances that should call for the punishment of death; and, in point of fact, horse and cattle stealers never suffered death for those specific offences, but for something else which they had done. The Judge inflicted the punishment, but he was guided by the representations of the Magistrates or others, as to the general character of the prisoner. If a man were tried for some offence, and acquitted, should he be supposed guilty by the people, his character became bad; and if he were afterwards convicted of horse-stealing, he did not suffer death for that offence, but on account of his previous bad character. This must confound all notions of right and wrong in the public mind. The right hon. member for Tamworth had done much to classify offences, but Sir Samuel Romilly was the first who had entered into the philosophy of our legislation. He trusted that this would only prove the commencement of the adoption of his plans, and that we should have a criminal code, as remarkable for its mildness as for its efficiency. With respect to what had been said on the subject of a public prosecutor, there could not be a doubt, that in many instances, such an officer would be of exceeding great use. At present a man was indicted for grand larceny, petty larceny, or a misdemeanor, just as it might please the person prosecuting him. Hints in this and other respects might advantageously be taken from the law of Scotland. There a public officer was responsible for all crimes being punished; but allowed no person to prosecute from mere vindictive motives. He would recommend Government to follow that example and appoint a public prosecutor.

Mr. *Crampton* wished to observe that the cruelty which had been justly attributed to our criminal code was alien to the common law of England. It was by the statute law alone that such misappropriate punishments had been enacted; and experience had proved, that the effect of extreme punishments was an increase rather than a diminution of crime.

Mr. *Hume* wished to draw the attention of the House to the beneficial effects of mild but certain punishments, as exemplified in the United States of America. There the punishment of death was never inflicted, except for murder; and perhaps in no country did there exist so little crime. When it was found in England that crimes increased, notwithstanding the severity of our punishments, why did we not take instruction from the example set us by America. Entertaining these sentiments, he was happy that the Bill on the Table was about to pass into a law. He must take that opportunity of complaining of the manner in which the colonial authorities remitted the punishment of those who were transported to New South Wales. If it were known that every individual who was transported to that country would be compelled to serve out the time of his sentence, and would be kept to hard labour during the whole of that period, the rigid enforcement of that secondary punishment would have so salutary an operation upon the fears of offenders, as to do away with the necessity for the punishment of death altogether. He was not one of those who would object to the abolition of the punishment of death because our secondary punishments were defective, inasmuch as he firmly believed those defects to be mainly attributable to those whose duty it was to enforce those punishments.

Mr. *Ewart* concurred in the praise which the hon. member for Middlesex had bestowed upon the criminal code of America, and hoped that we should follow her example, by almost entirely abolishing those capital punishments which had proved to be so inefficacious.

Mr. *Hume* begged to ask the hon. Member opposite, who was connected with the Home Office, a question relative to the mode in which the sentences of transportation were carried into effect in New South Wales and Van Diemen's Land. The hon. Member would probably be surprised when he told him, that he had received such information on this subject as to impress him with the belief, that in a great number of cases where individuals were sentenced to transportation, they found means to make interest with the Governor, in some way or other, and, in nine cases out of ten, the punishment to which they were sentenced was rendered wholly ineffective, and they escaped from it altogether. In making this statement he must be allowed to observe, that his remarks applied chiefly to that class of persons who were supposed to belong to the respectable and middle classes in England, and who were sentenced to transportation for such crimes as forgery and the like. If, however, such a system were suffered to go on, he no longer would credit the view which some persons in England took of a sentence of transportation. He trusted, therefore, that if it was the intention of the present Government to sanction the introduction of a system of secondary punishments, they would take care that no means should be used to render that system inoperative.

Mr. *Lamb* was not aware of the existence of any partiality which had been shown towards persons who, having moved in a respectable circle in this country, became subject to a sentence of transportation to Sydney. He was of opinion, that those persons who, from such crimes as forgery and the like, had incurred the penalty of the law and of transportation, ought not to be sent to the colony of New South Wales; some other mode of punishment ought to be adopted towards them, either in the Penitentiary, or in some other of the home prisons, for at present, when a person who had once moved in a respectable circle was convicted of forgery or fraud, he generally looked forward to his sentence of transportation as a means of enabling him to fly from a country where he met with shame on every side.

Clauses agreed to. House resumed.

KING'S COUNTY ASSIZES' BILL.] Lord Tullamore moved that the House resolve itself into a Committee on this Bill.

Mr. *O'Ferrall* said, that Bill would do a great injustice to Philipstown, and he moved that the Bill be referred to a Committee. Ever since 1786 there had been a family dispute between the noble Lord connected with Philipstown, and the noble Lord connected with Tullamore, and the whole business seemed to him a sort of family job. The question ought to be left to the Chancellor and the Judges. If the Bill were carried, a considerable expense would be entailed on the county.

Lord *Tullamore* said, that the Bill was necessary for the convenience of the King's County, and he could assure the House that he did not take it up as a family affair. He was ill abroad when the gentlemen of the county began the business.

Mr. *Crampton* thought that the Bill ought not to be passed without inquiry as to the existence of the inconvenience which it proposed to remove.

Mr. *O'Connell* thought that the transfer of the Court-house of Tullamore was necessary.

Mr. *Henry Grattan* said that the removal of the Court-house was unnecessary.

Mr. *Baring* thought that, to prevent wranglings in that House on local and personal questions, the best course would be, to extend to Ireland the law, which in England leaves it to the Lord Chancellor and the Judges to determine where the Assizes should be held.

Mr. *Robert Grant* did not think that there was any occasion for a Committee. The facts which were admitted showed the necessity of the removal.

The House divided on the Original Motion Ayes 50; Noes 38:—Majority 12.

The House resolved into a Committee; the Bill having been considered, the House resumed.

EXCHEQUER COURT (SCOTLAND)]. The Lord Advocate moved that the House resolve itself into Committee on this Bill.

Sir *William Rae* had, on former occasions, opposed this Bill, and meant then to assign the reasons which would induce him to move, "that, no sufficient investigation having been made by the Select Committee into the charges regarding the Court of Exchequer proposed by this Bill, or any inquiries entered into respecting the matters contained in the special instructions given by the House on the 1st February, 1832, this Bill be again referred to a Select Committee." The House would perceive that by this Motion he meant to imply that the late Committee did not do its duty. The House was now called upon to make provision for the performance of the business done in the Court of Exchequer, Scotland. It was proposed that the duties performed by the Lord Chief Baron and Puisne Judge of the present Court, should, for the future, be executed by one of the Judges of the Court of Session, who should receive an addition of 600*l.* a-year to his present salary, while the Lord Chief Baron was to obtain a retiring allowance of 2,000*l.* This course was subject to the most serious objections. The Bill embraced two propositions, which required separate considerations; one to dispense with the services of the learned Judges in the present Court of Exchequer; the other to impose the duties of this Court on one of the Judges of the Court of Session. The latter consideration was of much more importance than the former, and the House ought not to consent to this change until after the most careful investigation. In the establishment of this Court, at the period of the Union, it was made a special provision that the Judge who presided in it should be an English barrister: and, since that time, an English lawyer had always been a member of that Court. Formerly, not only the Chief Baron, but all the Puisne Barons, were English lawyers. Two years ago he had the honour of submitting to the House a large measure of Reform in the Scotch judicial establishments, by which fifteen judicial offices were abolished, besides a multitude of clerks and inferior officers. These included the Jury Court, the Admiralty Court, the Consistorial Court, two Judges of the Court of Session, and two Barons of Exchequer. By this means a saving was made to the amount of between 20,000*l.* and 30,000*l.* yearly. At that time there were a Chief Baron, and three Puisne Barons in the Court of Exchequer; but, from the nature of the business transacted in this Court, it was thought that the Chief Baron, being an English lawyer, and one Puisne, being a Scotch lawyer, would be sufficient. It had appeared to him that considerable advantage would be derived from this change, and that it would be much better than getting rid of the Court altogether, and transferring the business to other Courts. He had considered that this was a Court regulated exclusively by English law; that the cases were always between the King and the subject; that, on the part of the prosecution, the proceedings were carried on at the public expense, aided by the talents of a Crown counsel, and supported by the testimony of persons generally interested in the result; while, on the part of the defendant, there was seldom anything but poverty, accompanied by the knowledge that, with the best defence, no expenses could be awarded. For such causes, a Judge of high station and character was indispensably required, and one fully versed in the English law; and in order to make provision for the occasional absence of such Judge and for the performance of the duties where a knowledge of Scotch law was necessary, one Puisne Baron, selected from the Scotch Bar, was also retained. In so far as regarded the administration of justice, this arrangement was admitted to have been perfect; it was fully discussed in that House, and met with the express approval of the present Lord Chancellor. The clauses respecting the Exchequer were submitted to Chief Baron Abercromby, and changes suggested by him were introduced; but no idea was ever expressed at that time of abolishing the Court. The Bill only received the royal assent in July, 1830; and in August, 1831, the present Bill made its appearance in the House of Lords. The preamble did not pretend that it was intended to improve the administration of justice, but only to save expense. It was a mere money bill; and its appearance excited the astonishment of every person connected with the law in Scotland. When he came down to the House, he had the utmost difficulty in finding out who had the charge of it. On the second reading of the Bill, his right hon. friend opposite, and the noble Chancellor of the Exchequer, both denied all knowledge of it; and, at length, he found that the management of the Bill was placed in the hands of the Attorney General for England. He proposed that the Bill should be referred to a Select Committee, and a discussion of two nights took place upon this question. The inquiry was resisted by all the hon. Gentlemen opposite, and, on a division, he was defeated, and the Bill was read a second time. The present Bill was subsequently introduced into Parliament. When his right hon. friend moved for leave to bring in this Bill, he (Sir W. Rae) asked whether an inquiry was to be allowed? The noble Lord, knowing what had passed before, said that he would not oppose an inquiry; nay, he went further, and said, that he himself would move for a Committee. This proceeding could not be objected to, although it was not consonant with the usual practice of the House; and it placed the appointment of the Committee, not in his (Sir W. Rae's) hands, who had been anxious for inquiry, but in the hands of those who disliked inquiry, and had done everything in their power to prevent it. The noble Lord proposed the names of twenty-four persons to constitute a Committee, of whom eighteen were the direct adherents of the Government. The member for the county of Edinburgh subsequently proposed that four additional Members should be placed upon the Committee. The Government would only consent to the admission of two of that number, while they afterwards, without any intimation, caused another friend of their own—namely, the Member for the northern boroughs, to be added to the number. Seeing the manner in which the Committee was constituted, he thought it right not to trust the inquiry to their own discretion; and, therefore, he moved an instruction to the Committee to this effect:—That they do "inquire into the powers and duties of the Court of Exchequer, or how far there are other duties which might, with public advantage, be devolved upon that Court." The motion was agreed to, and the instruction was sent to the Committee. The Chairman proceeded to call the witnesses whom he thought necessary; and the first witness was the present Chief Baron of Scotland.

It was, most likely, intended that the examination of witnesses should terminate with the evidence of the Chief Baron; but it was suggested that Sir Samuel Shepherd, who had been for ten years Chief Baron of Scotland, should be also examined, and he, accordingly, was sent for, and his evidence received, as was also that of Sir Henry ardine. He had proposed that the head of the bar of Scotland, the Dean of the Faculty of Advocates, should be examined; but that proposal, as well as every other of a similar nature, was negatived; and there was not a tittle of evidence on the subject to which the attention of the Committee ought to have been directed. He must protest against this course of proceeding. The House was called upon to form a judgment upon the merits of this Bill, without having any information to guide it. The excuse for the conduct pursued by the Committee was, that the Bill was the chief matter referred to them, and being satisfied that it should pass, they were not called on to attend to the instruction. But of what use would it be for that House, in any case, to vote an instruction to a Committee, if such resolutions could be so contemned? The Committee, no doubt, had evidence respecting the abilities of the present Court, but with respect to the substitute for the performance of its duties, not one witness had been examined who could afford any information on the subject. But the House was not only called on to judge, without materials, on most essential points, but on very discordant testimony, in so far as there was any evidence. Any person who read the evidence of Sir Samuel Shepherd must see that he was strongly opposed to the appointment of a single Judge of the Court of Session to discharge the duties of the Court of Exchequer. Without meaning any disrespect to the present Chief Baron, he could not for a moment put his opinion in competition with that of so eminent a lawyer as Sir Samuel Shepherd, who held the offices of Solicitor and Attorney General in this country, and would have been Chief Justice of England but for an unfortunate deafness, which disabled him from filling that station. His opinion was also entitled to more weight than that of the present Chief Baron, on account of his greater experience in the Court. Mr. Abercromby had held the office for hardly two years; whereas Sir Samuel Shepherd filled it for nearly ten years, and was intimately acquainted with the constitution and duties of the Court. If, again, the House was to look to which of these witnesses was the most disinterested, how could they be put in comparison? The present Chief Baron was the person for whose accommodation this Bill was obviously intended. It had been prepared under his eye and direction, and he supported it by his testimony. Sir Samuel Shepherd had retired from public life, and could have no conceivable temptation but to give the most honest and true account of all he knew on the subject. If his evidence was to be relied on there was an end of the question, in so far, at least, as the proposed substitute was concerned. The business of the Court of Exchequer in Scotland was divided into two parts—the one judicial, and the other Ministerial; and the Report of the Committee suggested that the latter should be entirely removed to the department of the Treasury. Sir Samuel Shepherd, however, said, 'I think great delay would be created, 'that it would be absolutely necessary for 'the Treasury to have somebody in Scotland 'to inquire into particular and specific 'facts there. They could only have a representation on paper, the truth of which 'they have no means of inquiring into here.' And also, 'I thought it was a great advantage to Scotland—if I may use the phrase, 'at least to the poor people in Scotland—'that they knew they had a tribunal to 'which they could offer their complaints, 'such as they were.' In these sentiments he (Sir W. Rae) fully concurred. If such a change should take place, it was evident that hereafter all would depend on the fiat of an inferior officer in Scotland, subject to all the influence that might be there brought to bear upon him. Even his answer could not be obtained without great trouble and expense. The poor people of Scotland, instead of at once going to the Court of Exchequer, and being there heard and dismissed, satisfied that they had obtained justice from a high and independent tribunal, must hereafter employ persons in London to ask redress at the Treasury; must wait, no one knew how long, for a deliverance proceeding from persons who could know nothing of the matter, and must be guided by the views of inferior Scotch officers. Again, what was to happen in regard to applications for money grants to Scotland? On these the Barons had hitherto been called to report. But where was the Government hereafter to find so able, so disinterested, so high-minded a quarter to which to apply for advice? The only alleged recommendation to all these changes was, a saving of expense, But was this saving quite certain? Sir Henry Jardine said, that as everything must hereafter be done by correspondence, more duty would have to be performed in his office, and more persons must be paid to perform it. Besides, the duty discharged in London would require additional officers. The Chief Baron even pointed at the necessity of a Scotch Lord of the Treasury. When these were added to the salary of the Judge who was to do the duty, he was convinced that the saving would be nominal, and not for a moment to be put in competition with the satisfactory administration of justice. After all, the Bill did not provide for the separation thus recommended, but left the whole duty, ministerial as well as judicial, to be performed by the Court of Session Judge. Why was this? Solely because the inquiries of the Committee were not such as to enable them to legislate on the subject, and because the real object in view was, to abolish the Court of Exchequer, as a matter of accommodation to the Chief Baron, without regard to what was afterwards to become of the business of the Court. In regard to the judicial duties, they were various, numerous, and important; but it was said, that the quantity of business before the Court had fallen off lately, and particularly within the last three years, and, in proof of this, reference was made to certain Returns produced before the Committee. Now, in the first place, these Returns were incomplete; they were confined altogether to the judicial duties, and did not include the ministerial, which were of considerable importance. The Returns formerly made to the Parliamentary Commissions, showed that, on an average of three years, these were numerous. But these Returns were inaccurate, and not to be relied on; they were not made from any record, but from statements furnished by attornies, and were totally at variance with other returns, which showed, that during the last three years there had been an increase instead of a diminution of the suits instituted in the Exchequer. One object of his Motion was, to investigate this important part of the case, and, if inquiry was granted, the alleged reduction would prove altogether fallacious. Doubtless the number of trials had recently been few, but that was owing to the practice of compounding every case of penalty, which was assuredly reprehensible. The whole statements as to the reduction of business, if inquired into, would be shown to be greatly exaggerated. It was obviously impossible, with a revenue of 5,113,000*l.*, but there must be many actions, and they must all be tried according to the forms of English law; there appeared a strong reason for keeping up this Court. Further he proposed to examine evidence to prove that many important duties might be transferred to the Court. In the Minutes of the Committee now before the House it would be seen, that four classes of duties were proposed as meriting inquiry; and the Scotch Reform Bill had suggested a fifth, as the appeals from the sentences of Sheriffs regarding the qualification of voters, would be better referred to the Exchequer than to the Court of Session. These matters merited inquiry. If, however, for the sake of argument, it was to be admitted that the Court of Exchequer might be abolished, his right hon. friend was bound to make out this proposition, that one Judge of the Court of Session was the fittest person to discharge the duties which this Bill would impose upon him. But his right hon. friend could not propose that any of the six senior Judges of that Court should fill this office, being necessarily men above seventy years of age, and very ill fitted to commence the study of English Law. The appointment must, therefore, be limited to the five junior Judges, who, it was known, were so overloaded with business, that either an increase of their number, or an extension of the sittings of the Court was expected. But supposing the Judge to have time, was he otherwise qualified? How could he become possessed of the knowledge of English law which he was to administer? How could he direct a Jury in regard to a law of which he knew nothing—who was an entire stranger to the rules of evidence, and to the forms requiring to be observed; and where every term made use of must to him be altogether unintelligible? If his attention was to be exclusively directed to such proceedings no doubt in time he might become familiar with them; but, instead of this, his whole time was to be occupied in Court of Session duties, which were entirely foreign to those of Exchequer. But what was to be done if any of his near relations should be presented as debtors to the Crown, and he in consequence disqualified from judging? Again, how were his judgments to be reviewed, as in the event of a new trial being moved for? Surely these points ought to be looked to; and it ought to be considered whether Scotch forms might not be substituted for English; whether the whole Court of Session would not form a better tribunal than a single Judge; whether, at all events, two Judges of the Court, instead of one, would not constitute an important improvement on the proposed plan? On all these points he wanted a full inquiry, which was due to the importance of the question; due to the House, whose instructions had been contemned; and due to the country, in order that no suspicions might exist as to this being a measure for the accommodation of an individual rather than the good of the public. He might appeal to the course of his public conduct in proof that he was none of those who wished to retain any unnecessary judicial situations; and if the alteration proposed by the Bill should be proved expedient, he should be the first to vote for it; but, without full inquiry, he could not consent to the dismemberment of the most ancient supreme judicature of Scotland. He would move to leave out from the word "that" to the end of the question, in order to add the words—"no sufficient investigation having been made by the Select Committee into the changes regarding the Court of Exchequer proposed by this Bill, or any inquiry entered into respecting the matters contained in the special instructions given by this House on the 1st of February, 1832, this Bill be again referred to a Select Committee," instead thereof.

The *Lord Advocate* said, it must be apparent to the House that the scope of his right hon. and learned friend's motion was, to impeach the propriety of proceeding with this Bill upon the authority of the Committee which had considered the subject to which it related. His right hon. friend rested his case upon two grounds; first that the Committee adjudicated without due inquiry; and, secondly, that this precipitation was aggravated by a contumacious neglect of the instruction of the House. He trusted he should be able to show that his right hon. and learned friend's objections were unfounded. The substance of this Bill was, prospectively to abolish the Scotch Court of Exchequer, now consisting of a Chief Baron and two Puisne Barons, drawing salaries amounting altogether to 6,000*l.* a-year, and to transfer the small portion of business it had, to a single judicial person of very high rank and station; namely, a Judge of the Court of Session. It was matter of notoriety that there was not business performed by the Scotch Court of Exchequer sufficient to justify the maintenance of so expensive a tribunal. It must also be borne in mind, that his right hon. and learned friend, in 1830, led the way in that work, in reforming the Scotch judicature, in which he (the Lord Advocate, was a humble and very inefficient follower. It must be recollected how he abolished some Courts and curtailed others. The Consistorial Court he entirely did away with; the Admiralty Court (the only one in Scotland) he completely abolished; and the Jury Court, then consisting of four or five Judges, he annihilated, and transferred its duties to the Court of Session, from which he, at the same time, struck off two Judges. Nay, more: his unhallowed hand was stretched forth even against the Court of Exchequer—to reduce the number of its Judges from four to three; although the House was now told it must be held quite sacred. This extirpator—this slaughterer of ancient Judges—"bore no brother rival near his throne," and was offended when he (the Lord Advocate) humbly following in his track, attempted to gather gleanings in a field from which he had reaped so ample a harvest; and called out that it was an insult to Scotland for the House to sanction the course he (the Lord Advocate) had pursued. What were the facts? It was stated at the time, from certain documents before the House, that there was no business at all before the Court of Exchequer. His learned friend, the Judge-killer, who knocked the Admiralty, Commissary, and Jury Courts on the head—who dismembered the Court of Exchequer and Court of Session of a part of their Judges—did he think it necessary to have an investigation before a Committee ere committing all these slaughters? No such thing; but upon certain returns, he did lightly what he (the Lord Advocate) proposed to do solemnly. It was notorious that there was no business in the Court of Exchequer; and that statement was corroborated by the returns. It appeared by them, that for the last twenty years, there had not been above five or six defended cases in each year; that was, not quite one and a-half in each year; and in the latter part of that period, there had not been above four or five in each year, or one case in each Term. The number of undefended cases in which, as was well known, a few witnesses were examined, *ex parte*, whose examination occupied no more time than was sufficient to convince the Judge, either that the defendant was innocent or had no case, was only seventeen in the course of the year. This, then, was the whole amount of the judicial business of the Court of Exchequer. His learned friend truly stated, that the Judges of the Court had some employment, also, as Lords of the Treasury; that was to say, as the Deputies of the Treasury in London, from which they received orders, and to which they made reports, and transmitted all they received. Now the Acts under which they transacted this business, provided that they should transact such business in the Treasury as they might be directed to transact by the Minutes of the Lords of the Treasury in London. Of course, then, as soon as these Minutes transferred their duties to others, their business in the Treasury ceased, and, in point of fact, he was informed that a considerable part of the Treasury business which they used to transact had been taken from them, and by Treasury Minutes transferred to others; and no difficulty would be experienced, in the whole of the Treasury business they had performed being transferred to others; for it could scarcely be made to occupy four days in the year. With respect to their judicial business, the Judge of the Court of Session, who would be appointed to it, would be able to dispose of it in four short *sederunts.* The returns showed that up to the present time, the judicial days of the Court of Exchequer had been eight or ten in the course of the year; and those only of three or four hours each. The Judges of the Court of Session never sat on a Monday; so that if the Mondays were taken, the whole of the Treasury business of the Court of Exchequer of Scotland might be done by the Judge of the Court of Session, to whom its judicial business might be confided, and all without trenching upon his other duties. But then his learned friend said, that the Court of Exchequer could have had other business added to that which it had at present to discharge. Now, every one of the witnesses was asked, whether the different additions to the duties of the Court which were suggested could be advantageously made, and they all answered in the negative. Certainly, the Committee was averse to seeking for pretences to keep this Court up, or it would not have been difficult to have got speculative individuals, who might by taking business from hence and business from thence, have made up a sufficient quantity of patch-work duty for the Court to discharge. He said, of patch-work duty; for it was remarkable, that neither as regarded the bankruptcy business, the adjustment of tithes, the duties performed by the Justices of the Peace, nor any other, was a suggestion made to transfer a whole branch of proceeding into the Court of Exchequer; the suggestions being for it to settle the accounts of one, or overlook a particular detail of part of the business of another Court, which did not want any such relief. Having taken evidence which convinced the Committee that there was no pretence for keeping up the Court of Exchequer as a revenue Court, for it never had any general business (like the Court of Exchequer in England), the Committee came to the conclusion, also, that there was no foundation upon which to increase its jurisdiction—indeed, that it had no jurisdiction which could be extended—and that, if any were given to it, it would have to be created for the purpose. They understood the instruction of the House to mean such an enlargement of its jurisdiction as would bring into the Court the same kind of business it already possessed. There were only two suggestions founded upon this principle. The first went upon the possibility of diminishing the number of compounded cases, and, by going through the Court with them, so to increase its business; the second was, to make the Judges go circuits. Upon the first subject, Sir Samuel Shepherd stated, that composition was not only an allowed practice in both parts of the island, but was necessary for the proper execution of the laws. The Committee, therefore, had no evidence before them to warrant a recommendation o a change in the present practice. With respect to a transfer of a part of the business done by the Justices of the Peace, the best law authorities in Scotland, including the Chief Baron, concurred in stating, that there was not the least reason to expect that the business would be better done in the Court of Exchequer, and that no dissatisfaction was felt at the manner in which that business was at present transacted. The whole evidence, therefore, with respect to the transfer to the Court of Exchequer of the only business bearing any analogy to that at present transacted in it, instead of being with, was against, his right hon. and learned friend. He would not enter further into details, but simply say, looking to the facts, that this was an unnecessary Court, and that to maintain it was a waste of the public money.

His right hon. and learned friend seemed to think 6,000*l.* per annum a very trifling sum; but, independently of the waste of this sum, they had the evil—if they kept up that Court—of maintaining several pieces of undue patronage, and of gilding sinecures with the name of judicial offices. His right hon. and learned friend said, that it was a great thing to have the benefit of the decision of a Judge of high character and rank—by which he meant with a high-sounding title—to adjudicate between the King and his subjects. He (the Lord Advocate) proposed to substitute for the Court of Exchequer, a Judge of the highest rank—a Judge of the Court of Session—the supreme civil tribunal of Scotland—a Judge as much entitled to, and as much possessing, respectful attention as any other Judge, whatever his denomination might be. It must be recollected, that this Judge would be a member of an efficient and important Court—that his judicial habits would be kept in perpetual exercise, his faculties sharpened by constant practice, which certainly could not be alleged to be the case with the Judges of the Court of Exchequer, who tried, perhaps, only one cause in the course of every half year, and whose faculties must become, to a certain extent, rusty. The business of the Judges was not of such a nature as to render it inexpedient to make this addition to their labours. The ordinary business of the Judges was for fifty-six days, and they commenced their sittings at eleven, and closed them at two or three. Any Judge might get through the quantity of business now transacted in the Court of Exchequer in the course of six days. He did not think, as was stated by his learned friend, that the necessary condition of passing this Bill should be, that the Treasury business should be transacted in another way. He could not help feeling that the segregation of the business of the Court was most improper. He looked forward with some anxiety to the separation of the business, and if the plan now suggested was acted upon, all the other causes and suits which it would be necessary to determine in this Court would be not the work of twenty five or fifty days, but of only eight or ten days. At present, a great number of the cases connected with the revenue were heard and determined by the Justices of the Peace, to the satisfaction of the public. Forty-nine out of every fifty cases of this sort were finally and satisfactorily settled by the Justices of the Peace, although an appeal might be made from the decision of these Justices to the Court of Session. But the truth was, that, for the most part, the interpretation of the statutes was so clear, that there could be little or no difficulty in applying them. It was on this account that the Justices were able in nine-tenths, or rather ninety-nine hundredths of the cases for determination, to give as satisfactory a decision as the superior Court. He must admit, that there was one part of the business of the Court which made it necessary that the Judge should be a Scotch lawyer. He meant that part relating to the preparation of the charters. There was, however, a provision in this Bill which would prevent any inconvenience on this account arising to the public from the abolition of this Court. As for the cases at *Nisi Prius*, it appeared that they might be got through in two days in the year, and surely, on this account, it was not worth while to keep up a Court with two Judges at enormous salaries. The House was, therefore, acting properly in getting rid of that which appeared to be a shameful, unnecessary, and extravagant expenditure of the public money. The right hon. and learned Lord, undoubtedly, did much in his bill for remodelling the Court, but he did not go far enough, and had left that behind him to do, which he (the Lord Advocate), on behalf of the Government, now had the honour of submitting to the House. The plan which he had to propose would be beneficial to the public, and to the administration of justice. For the reasons he had already stated, it was unnecessary again to send the matter to the consideration of a Select Committee; he, therefore, must oppose the motion of his right hon. and learned friend.

Mr. *Pringle* said, the speech of the earned Lord Advocate had been so discursive, and he had frequently wandered so widely from the true question before the House, that he (Mr. Pringle) should find it very difficult to follow him, without being led into discussions which would be out of place in the present stage of the proceedings. The only question which they had to consider was, whether the Committee had exhausted the inquiry which was remitted to them by the House, and to that he should endeavour to confine himself. The learned Lord set out by complaining, that the scope of his right hon. friend's Motion was to impeach the conduct of the Committee. It was so. It was exactly the complaint that the Committee had not discharged the duty devolved upon it, and therefore, the motion was made to have the Bill recommitted. He charged the Committee with not only refusing to go through the case, and making a report on imperfect information, but of actually stifling inquiry. The Committee was called upon, first, to inquire whether, in all the circumstances of the case, the Court of Exchequer could be dispensed with; secondly, supposing it to be abolished, was the mode by which the Bill provided for the discharge of its duties, by transferring them to one Judge of the Court of Session, a proper mode; and, thirdly, would it not be more expedient to continue the Court of Exchequer, and add to it other judicial business, which was not at present provided for in the most satisfactory manner. The two first of these belonged to the very essence of the Bill. Unless they were satisfactorily and clearly made out, the Bill must be inexpedient, and ought not on any account to be passed by the Legislature. The third was also important, though less essential to the merits of the question. Of these three subjects of investigation, only the first was taken up by the Committee, and that very imperfectly; and as the necessity of inquiry was admitted, the Bill itself could not, on any ground, be justified without a full investigation. There were only three witnesses examined. The first of these was the present Lord Chief Baron of Scotland. The second, the late Lord Chief Baron, Sir Samuel Shepherd; and the third, the King's Remembrancer, Sir Henry Jardine. Of these, the evidence of the first was favourable to the Bill—that of the second decidedly against it, and from the third, perhaps, either party might gather something to countenance their views; but, upon the whole, it would be found substantially to agree with the evidence of Sir Samuel Shepherd. He feared he must not presume that many Members had taken the pains to peruse the whole of the Report. To such as had, he might confidently appeal, and ask them if their impression was not, that so far as the inquiry was gone into, the result did by no means justify the Report of the Committee. If, therefore, the House were to legislate upon such evidence as they already had, he should be justified in calling upon them to reject the Bill. He maintained that the inquiry was not exhausted, and ought again to be resumed. The question of the utility of the court even was not gone into. If the two principal witnesses differed, more testimony should have been brought up. There were other persons, such as the solicitors of Excise and Customs, the learned gentlemen who had filled the offices of Crown Counsel, and perhaps other persons connected with the Court of Exchequer, who could have given very important information, and probably knew a great deal more of the subject than a Judge who had not filled his office but for two years. In particular there ought to have been a very full investigation into the causes of the recent diminution of cases. The learned Lord had alluded to the practice of compounding, which might be one principal cause. Of this he did not complain to a certain extent; but he suspected that it had been carried greatly too far; and he wished that so responsible a faculty had been vested in the highest officers of the Crown, rather than inferior ones, as was the case in Scotland. He had never maintained, that the Court of Exchequer had full employment; but other duties might have been devolved upon it with advantage to the country. Not one witness had been examined who was competent to speak as to the propriety of devolving the duties of the Court on a lord of Session. It was true, as had been stated by the learned Lord, that questions relating to it were asked of the several learned persons whom the Committee examined; but both Lord Chief Baron Abercrombie and Sir Samuel Shepherd very properly answered, that never having had any practical acquaintance with the business of a Court of Session, they were not competent to answer these questions: neither was Sir Henry Jardine so bold as to offer any positive opinion upon a subject which was not within his range of experience; so there was no witness called before the Committee who really could give any sound information as to this part of the Bill. It was a very difficult question; he hardly pretended to form an opinion of it. Some of the difficulties had been pointed out by his right hon. friend, especially those of having questions of English law decided by a person who had never practised either as Advocate or Judge in an English law court, and the anomaly of appointing a single Judge to review his own decisions. If the Committee had not been willing to stifle inquiry, they ought to have examined some persons connected with the Court of Session. It was proposed to call the Dean of Faculty. A more competent witness, in every point of view, could not have been found, as he added to considerable experience in the duties of a common counsel, which necessarily gave him much Exchequer practice, a thorough acquaintance with the Court of Session. What did the members of the Committee know of the Court of Session?—and yet, without any evidence before them, from any persons at all competent to give them information, they had presumed to pronounce an opinion on a matter which would occasion great anxiety to any Scotch lawyer who might be called to make up his mind upon it. The learned Lord had said, that many of the questions of law brought before the Court of Exchequer were questions which the Legislature had even committed to the Justices of Peace; but did he forget that the Justices of Peace had a line prescribed to them by all those statutes, from which they must not travel? Their duty was distinct and precise, and if they erred there was at present an appeal for redress to the Barons. But he was not going to stand out on his own opinion for retaining the Court of Exchequer in Scotland; all that he insisted on was, full and complete inquiry, which this Committee had refused to make. If the result of such inquiry should be unfavourable to the expediency of continuing the Court, and if he should find that proper means were provided for satisfactorily discharging its business, he should readily give way; but he could not discharge his duty to Scotland without insisting that justice should be done to her interests. The only argument for the change proposed was economy. The saving was not very large, but he was by no means insensible to the propriety of making even the smallest saving. He doubted very much whether, after all, it would prove any real saving; but let not the saving of expense be the only consideration. Scotland had a good claim that her business should be well done, and he entreated the House not to grudge her the means of securing this.

Mr. *Hunt* said, the House had been engaged for upwards of two hours discussing this Bill; the object of which was, to get rid of an expensive Court of Justice, in which little or no business was done. It appeared that the Court of Exchequer in Scotland cost between 10,000*l.* and 12,000*l.* a-year, and that the average number of causes tried in this court in a year, did not exceed twelve; that was to say, that it cost the country at the rate of about 1,000*l.* a cause. It was really surprising that any one should defend the keeping up the present Court. Allusions had been made to the able lawyers who had presided in this Court, and, among others, to Sir Samuel Shepherd, who, no doubt, was a very able man, and a very good lawyer; but he did not see why he should be sent to Scotland, as to a refuge for the destitute, and take from the country no less than 40,000*l.* for doing nothing. He trusted that this Bill would pass, and they should hear no more of the Court of Exchequer in Scotland.

Sir *George Clerk* was aware that this was not a question of any great interest to the majority of hon. Members, and he was not surprised at their extreme eagerness to come to a vote in favour of this Bill; but he could assure them that it was looked upon as a matter of considerable importance to the people of Scotland. He had been a member of the Committee up-stairs, to which the consideration of this subject was referred, and shortly after that Committee was appointed, he had felt it his duty to call the attention of the House to the constitution of that Committee, and the result had fulfilled the anticipations he then formed. He had proposed an addition of four or five hon. Members to this Committee, who had taken part in the discussions on the subject: his proposition, however was rejected. He had then stated, that many members of the Committee were not likely to feel greatly interested in the matter to be submitted to their consideration. This turned out to be the case; but the inquiry that took place before the Committee was not of that nature to throw any great light on the subject: and, although several Members were anxious that additional evidence should be called, all motions to that effect were rejected; and a Report was made, which was founded on a very narrow basis. For his own part, he thought it most inexpedient to abolish this Court, for there were various judicial duties in Scotland, which it could have performed, greatly to the advantage of the public. The Committee ought to have taken all these circumstances into consideration; but it was determined that this was unnecessary. He was convinced that the transferring the business of this Court to the management of one of the Judges of the Court of Session, would be attended with great public inconvenience. Much of the business of the Court of Exchequer in Scotland was diminished by the practice of compounding revenue cases, instead of bringing the parties before a Jury. He should content himself however with entering his protest against going into the present Committee, because, whether the measure was right or wrong, it was a case which ought to be inquired into; and the Select Committee had not done their duty in stopping that inquiry just at the point at which it was so essentially necessary to have the fullest information.

The House went into a Committee; and the clauses of the Bill having been agreed to, the House resumed.

PRIVILEGE OF PARLIAMENT (BILL).] Mr. Baring moved the Order of the Day for the second reading of the Privilege of Parliament Bill.

Mr. *Lambert* objected to the House proceeding at that period of the night with a measure so important.

Mr. *Lennard* gave his hearty support to the Bill of the hon. Gentleman, so far as it went to take away a privilege which it was neither useful nor creditable to the House to retain. But he was disappointed that the Bill did not extend to Peers as well as to Members of the House of Commons. It ought to be made to do so. On all former occasions, when the House of Commons relinquished a privilege, the House of Peers did the same. It was well known that formerly Privilege of Parliament and of Peerage extended to the lands, the goods, and the domestics of Peers and Members of the House of Commons; by degrees these privileges had been restrained at the same time in the case both of Peers and Members. He thought that a similar course should be pursued on the present occasion; for he was sure, that so long as the present law of arrest continued, by which a poor tradesman might be dragged away from his family and imprisoned, no class of persons ought to claim an exemption, or be privileged to defraud his creditors with impunity. He hoped what he was saying would not be construed into any approval of the present law of arrest. He thought the present state of the law in that respect most objectionable, and he hoped that it would be soon changed; but while it was suffered to exist, he thought all persons ought to be equally affected by it. He therefore hoped the hon. Gentleman would consent to give his Bill greater extension, so as to include peers as well as Members of that House.

Mr. *Hunt* was astonished to find that the Bill only affected Members of that House, and if it went on he should move a clause to embrace the Members of the House of Peers.

Mr. *Baring* thought all objections to the details of the Bill should be reserved till it was in the Committee.

Mr. *Ruthven* would not oppose the second reading, but would certainly extend its application if he were able; otherwise the Bill would be partial and oppressive to the Members of that House.

The House divided:—for the second reading 38; Against it 4—Majority 34.

The Bill was then ordered to be committed.

HOUSE OF COMMONS,

Thursday, May 31, 1832.

MINUTES.] Papers ordered. On the Motion of Sir JOHN HOBHOUSE, the Number of Recruiting Districts in the United Kingdom; of Staff Officers, Staff Non-commissioned Officers, Superintending Subalterns, and Regimental Parties, in each District; Number of Recruits Annually raised in each District (exclusive of East-Indian service); also, total Annual Expense of the same; from 24th December, 1828, to 1st January, 1831, each year respectively.

Bill. Read a second time; Witnesses in Equity.

Petitions presented. By Mr. CHATER, from Durham, for the Abolition of Slavery.—By Sir WILLIAM RAE, from Glasgow, against the Arrestment for Wages (Scotland) Bill.—By Mr. CUTLAR FERGUSSON, from the Native Inhabitants of Calcutta, for Continuing to the Local Government the Power of Restricting the Residence of Europeans in India.—By Lord MORPETH, from Otley, against the Factories Regulation Bill; from Thorne and Saddleworth, for Stopping the Supplies; and from Reading and three other Places, for the Abolition of the Punishment of Death. —By Sir ROBERT BATESON, from Belfast, in favour of the Factories Regulation Bill.—By Mr. MACKINNON, from Lymington, against the Extension of the Boundaries of that Borough, and for correcting an Error relative to the Boundary-line.—By Lord MORPETH, from Leeds, in favour of the Ministerial Plan of Education (Ireland.)—By Sir ROBERT INGLIS, from Rochester, Ryash, Addington, and White Roothing;—and by Sir ROBERT BATESON, from Aghadowey (Londonderry), Granshaw, Belfast, and Garvagh, against the Plan.—By Mr. CUTLAR FERGUSSON, from Kirkcudbright, against depriving the Sheriffs of the power of deciding upon the Validity of Votes.—By Sir FRANCIS BURDETT, from Westminster;—by Mr. HUME, from St. James's Clerkenwell;—by Mr. Alderman WAITHMAN, from London and its Vicinity;—and by Mr. WILLIAM BROUGHAM, from St. Mary, Lambeth,—for a Repeal of the Laws relative to Dramatic Representation.

MINISTERIAL PLAN OF EDUCATION (IRELAND).] Sir *Robert Bateson* presented a Petition from a parish in Londonderry, against the new system of public Education in Ireland; also, a petition from a Congregation of Seceders from the Presbytery of Ulster, in the county of Down, against the same system; and another, to the same effect, from the Sunday school teachers in Belfast, and praying that the grant to the Kldare-street Society might be continued.

Major *Macnamara* said, that the whole of the disturbances in the county of Clare, in 1829, originated in the attempts which were made to compel the Catholics, under the auspices of that Society, to send their children to schools in which the Scriptures were used as a school book.

Mr. *James E. Gordon* denied that the disturbances in Clare had any such origin. He referred to the report of the Commission of Education, published in 1825, to show that the Catholics of that county were desirous that their children should receive a scriptural education, but that they were prevented by their priests from sending them to the schools of the London Hibernian Society. He was surprised that, in the face of these facts, any man would presume to say that compulsory attempts to force the Catholics to send their children to the scriptural schools were the causes of the disturbances.

Mr. *O'Connell* was sure that his hon. and gallant friend, the member for Clare, being a resident landlord, a Magistrate, and a Grand Juryman of that county, must be better acquainted with the causes of the disturbances which took place there than any other gentleman, Englishman or Scotchman, in that House. The hon. Gentleman who so flatly contradicted his hon. and gallant friend was much out in his chronology: the hon. Member had attempted to show that persecution was not the cause of disturbances in 1829, because in 1825 there was no persecution, and the people were compelled to receive a scriptural "Iddication." His hon. and gallant friend had pledged his high character to the statement he had made as to the origin of the disturbances in Clare. And most truly had he stated, that they proceeded from the cruel persecutions of the bigots of that country, seeking to force Catholic children into the hands of Protestant teachers. A Magistrate of that county had been publicly convicted at Sessions of breaking into a house were a Catholic priest was administering the sacrament to a dying Christian, for the purpose of disturbing him in the exercise of his sacred functions.

Mr. *James E. Gordon* begged permission to make a remark upon the observations which the hon. member for Kerry (Mr. O'Connell) had made upon him, and upon the language the hon. Member had dared to use. He asked that hon. Member, how he dared to criticise his language? He believed he had the good fortune to be always able to make himself intelligible to the House; and if he was not so competent a master of the King's English as the hon. member for Kerry, at least he could pride himself upon not bringing into the discussions of that House, as the hon. Member did, the vulgarity of a pauper, and the insolence of a demagogue.

The *Speaker* was sure that, in the phraseology which the hon. Member had just used, he had been guilty of a gross violation of order. The hon. Gentleman would see the necessity of making some explanation to the House for the error into which he had been betrayed.

Mr. *James E. Gordon* was willing to apologise to the House if he had been guilty of any sin against its laws. To the House he limited his apology, because he could conceive nothing more vulgar or unwarrantable than for one Member of that House to criticise the pronunciation of another. This was not the first time that hon. Member had taken this course. He denied that he had used the word "iddication," as put into his mouth by the hon. Member. "Education" was the word he had used. With reference to the allegations of the hon. Member against the Protestants of Clare, whom he called "bigots," he thought they ought to have names given as authority for such assertions; they ought not to rest on the mere *ipse dixits* of individuals.

The petition to be printed.

BREACH OF PRIVILEGE — CASE OF PROCEEDINGS OF COMMITTEES.] Mr. *Stanley* moved, that the Order of the Day, that Thomas Sheehan do appear at the Bar of that House, be then read. The right hon. Gentleman then called the attention of the House to *The Dublin Evening Mail* newspaper of the 21st inst. and put it into the hands of the Clerk, who, having stated the title of the Paper and the publisher's name, proceeded to read an article entitled "Irish Tithes," in which it was stated that the Editors of that Journal had received, exclusively, through their resident parliamentary agent, the second Report of the Select Committee of the House of Commons which sat upon the subject of Irish Tithes; that at the hour at which they had received it, it was only in their power to give it a cursory glance, but that they were enabled to perceive, even from that hasty notice, that the Committee had recommended that the State should constitute itself the proprietor of all the tithes of Ireland; that they should be converted into a permanent land-tax, payable by the landlords instead of the tenantry—that Church cess should be abolished—and that there should be a new valuation of Church property. Another part of the paper was also read. It was headed "Second Report of the Committee of the House of Commons on Irish Tithes."

The Order of the Day, that Thomas Sheehan do appear at the Bar, was read, and Mr. Sheehan being in attendance was placed at the bar.

The *Speaker*: What is your name?—Thomas Sheehan.

The *Speaker:* Look at that Paper; are you a proprietor of it?—I am.

The *Speaker:* Look at its contents. Have you any statement to offer to the House on the subject?—The only statement I have to make with respect to the present proceeding of the House is, that the document referred to is that I sent to Ireland for insertion in this Paper.

The *Speaker:* In what character or capacity did you forward that document for publication?—In my own individual character, and none other.

The *Speaker:* Purporting to be——

Mr. Sheehan: I beg to decline answering any question which might possibly criminate another person.

The *Speaker:* Then the House is to understand that you decline answering this question?

Mr. Sheehan: I am sorry to decline replying to any question which is put to me by the House; but I shall certainly give no reply that could compromise any other person.

The *Speaker:* Has the House any question to put?

Mr. *O'Connell:* Had the document, when you received it, the usual caution marked on the back?

Mr. Sheehan: I deline replying to that question.

Mr. *Stanley:* Was the document when you received it in print or in manuscript?

Mr. Sheehan: I have the same objection to answering that question as to answering those that went before.

The *Speaker* inquired if the House had any other questions to put? and there being none, Mr. Sheehan withdrew.

Mr. *Stanley* said, that in the present case there was evidently gross negligence amongst some one or other of the officers of that House, or of some person employed by them, and it would be a gross dereliction of duty on the part of the House if they did not take a decided step, with a view to putting an end to practices of that nature. With respect to the draft of the Report in question, there were but twenty copies of it printed, and those copies were transmitted under sealed covers, and it became, therefore, impossible that the document in question could have reached the hands of Mr. Sheehan otherwise than through a gross breach of confidence on the part of some person in the employment of that House. The House had had Mr. Sheehan at the bar, and had put certain interrogatories to him, and he having declined to answer any questions respecting the means by which he had possessed himself of the document in question, he thereby took upon himself the whole responsibility of the publication; and now one of two courses remained open to the House; either they might commit Mr. Sheehan to Newgate, or to the custody of the Serjeant at Arms. He should of course leave it to the judgment of the House to decide which course it would pursue; but before he sat down, he thought it right to call the attention of the House to an article published in *The Dublin Evening Mail* newspaper of the 28th of May, from which it was very clear, that it was the intention of Mr. Sheehan to set the authority of that House at defiance. In the conclusion of the article to which he referred, the writer stated, that having procured the Report of the Committee, at which the editors were much gratified, they would be wanting in the duty they owed to their readers, and the public, if they did not give it immediate insertion, referring, as it did, to a matter of the highest importance. The article then went on 'We have all becoming respect for the 'privileges of Parliament, and would not 'infringe an iota upon the rights of its 'Members; but we should be wanting in 'that duty we owe our readers were we to 'withhold from them a piece of interesting 'intelligence which happened to be in our 'possession. Mr. Stanley is talking of 'summoning the proprietor, editor, and 'printer, to the Bar of the House. He 'may save himself all this trouble. One of 'the former is now resident in London, 'and has, if we be instructed rightly, apprised Mr. Stanley of his willingness 'to take all the responsibility attachable 'to the publication of the Tithe Report 'upon himself, and his readiness to give 'the Irish Secretary and the Committee 'just so much information as he thinks 'necessary upon the subject, and not a bit 'more.' Having made this statement to the House, he should not then trouble them further than to move a Resolution, declaring that the publication of that draft of a Report was a high breach of privilege. The right hon. Gentleman concluded by moving "Resolved — That Thomas Sheehan, Editor of the Irish paper called *The Dublin Evening Mail,* having published a Report purporting to be a Report of a Select Committee of this House, the same not having been presented to this House is guilty of a high breach of its privileges."

Mr. *Hunt* observed, that when they allowed the Press generally to publish so many things that constituted breaches of privilege, and openly and notoriously to commit those breaches of privilege, they could scarcely, with much justice or consistency, select Mr. Sheehan for a victim. The House and the country could not fail to see that Mr. Sheehan was laughing at the right hon. Gentleman opposite, and that all Ireland was laughing at him. When a display of artillery, cavalry, and infantry was recently made to protect the sale of some cattle for tithe, the people of Ireland laughed at the government of the right hon. Gentleman, and not a man in the city of Cork was to be found who would offer a single shilling for a bullock worth ten guineas. Could the House, then, shut its eyes to the fact, that the people of Ireland were laughing at the Irish Government? He wished that the House would not assist the right hon. Gentleman to punish Mr. Sheehan for joining in the laugh with the rest of his countrymen.

Colonel *Perceval* confessed himself unable to discover upon what grounds Mr. Sheehan should have been selected, when so many others had been guilty of breaches of privilege; but it was to be observed, that the other offenders all belonged to the opposite party in politics, and it was on account of his opinions, he presumed, that this most uncalled for severity was exercised towards Mr. Sheehan.

Mr. *Anthony Lefroy* could not justify the publication of this document, nor could he deny that a breach of the privileges of the House had been committed; but he did not think it expedient that the House should be called upon to interfere in this case. The right hon. Gentleman had placed the House in the very awkward situation of either abandoning its privileges, or of unnecessarily punishing the editor of a paper. He would not allude to papers in which much greater breaches of privilege were daily published, but he must say, that the right hon. Gentleman had acted most harshly in the course which he had thought proper to pursue with regard to this paper. If he had held out a warning to the editor, he would have acted wisely, instead of passing over affairs of a similar nature without notice, and suddenly falling on the proprietors of this paper. Under such circumstances, he considered the conduct of the right hon. Gentleman to have been most unfair and unjust.

Mr. *Stanley* rose to reply to the uncalled-for attack made upon him, as if, under such circumstances, he could be at all actuated by the politics of the paper committing the offence. The duty which he was discharging was not one which he had taken upon himself—it was a duty imposed upon him by the Committee. In stating this, he felt bound to add, that the Committee, in coming to the decision of instructing him to adopt the course which he had pursued, came to that decision by a vote, in which the minority was only one, and that member of the Committee was of politics opposed to those of *The Evening Mail* and of the hon. Members opposite. He begged also to remind the hon. Gentleman who had spoken last, that a near relative of his had expressed an earnest wish that the conduct of Mr. Sheehan should be brought, as it had been, under consideration, and that hon. and learned relative of the last speaker was the more anxious that it should thus be gone into, seeing that he himself was one of those members of the Committee whom the draft so often referred to had not reached. He (Mr. Stanley) felt fully assured that Mr. Sheehan had never obtained the draft through that hon. and learned Gentleman. The last speaker ought to have known how the matter really stood, and, knowing it, he ought not to have made such an attack as the House had just heard; he should not have imputed party motives where none whatever existed, and when hon. Members complained that Mr. Sheehan was the only person punished, they should have been prepared to show that other persons were accessaries to a breach of confidence on the part of the subordinate officers of that House, or any breach of privilege with which he (Mr. Stanley) was similarly connected. The complaint, it seemed, was, that other papers had committed breaches of privilege, but who originated them? The document had gone the round of the papers, and it was of that he complained. He also contended that Mr. Sheehan's chief offence consisted not so much in publishing the document, though that was of itself a breach of privilege, but in now refusing to assist the House in discovering the person who had really abused the confidence of the House.

Mr. *Anthony Lefroy* had hoped that the good feeling of the right hon. Gentleman opposite would have restrained him from throwing out the insinuation he had thrown out against his relative [" *no, no!*"]. The right hon. Gentleman certainly had seemed to convey an imputation upon his relative as one of the two who had not received their copies of the Report.

Mr. *Goulburn* felt perfectly assured that his hon. friend near him altogether mistook the right hon. Gentleman opposite: so far from implying any imputation upon the hon. and learned member of the Committee, he distinctly acquitted him of any participation in the affair. That this was a breach of confidence to the House, and to some members of the Committee, could not be doubted, for those Reports were enclosed in sealed covers, so that the packets must have been opened by some person having no authority so to do. The House should likewise look to the consequences of such a breach of privilege to the country, if persons into whose hands such papers fell, and they must occasionally fall into the hands of unauthorized persons—were allowed to give them to the public. He would instance the Committee, of which both he (Mr. Goulburn) and the right hon. mover were members, on the Bank Charter. The publication of some of the papers which were before that Committee, if divulged, might have the most alarming effect upon the public credit; yet many of them must occasionally come into the hands of subordinate and irresponsible persons. As to Mr. Sheehan, there could be no doubt that, under the circumstances, it would have been thought expedient to treat him with lenity, had he not shown a disposition to resist the authority of the House. Seeing the many breaches of privilege that were every day committed, he might have thought it no great matter, especially as there was no caution appended to the document; but that had now ceased to be a question; there had been a manifest breach of duty on the part of some officer of that House, who had been instrumental in giving publicity to a document which had been carefully made up, sealed, and directed to an individual. He did not mean to say, that Mr. Sheehan had broken a seal, but from the refusal of Mr. Sheehan to assist them in discovering the real offender, he should support the Motion of the right hon. Gentleman opposite.

Mr. *Littleton* was of opinion that the House should endeavour to ascertain who the real offender was. He, as a member of the Committee, had not been a regular attendant, for a paramount duty had called him elsewhere, but in the usual course, the draft of the first Report, and the evidence, were duly transmitted to him; but the draft published by Mr. Sheehan had never reached his hands. The case then before the House was of a character which they could not overlook, and he was decidedly of opinion that they should impose upon Mr. Sheehan a heavy sentence. That gentleman ought, in his opinion, to be made to endure a severe punishment, till he gave up the name of the person who had furnished him with the papers.

Mr. *James E. Gordon* rose to make a few observations upon what he considered the peculiarity of the case under consideration. Abstractedly considered, it amounted to no more than a simple breach of the privileges of the House, and, when viewed in that light, it stood upon a footing with those tolerated breaches of their privileges which were taking place every day throughout the year. He was bound to look at it in that character, because there was no evidence before them to prove that Mr. Sheehan knew that the document which he had transmitted to *The Evening Mail* was a private, and not a public document. The difference, then, between the present case and any other, consisted, not in the manner in which the privileges of the House had been violated, but in the refusal of Mr. Sheehan to answer certain questions which had been put to him by the House. This constituted the peculiarity, or what might be considered the aggravation of the case, and the House would recollect, that this contempt of their authority, or whatever it might be considered, resulted not from the breach of privilege, but from the course which had been pursued by the right hon. the Secretary for Ireland, towards the person who had committed the breach. He well remembered that the right hon. Secretary, upon a former occasion, had complained of a similar breach of their privileges, by the publication in a Dublin paper of opposite politics, of some of the evidence of Dr. Doyle or the Archbishop of Dublin; but that complaint was not followed up by his calling the party to the bar. Had the right hon. Gentleman taken the same course then as he had upon the present occasion, the result, he (Mr. Gordon) had no hesitation in saying, would have been precisely the same in both cases. The party complained of would, as in the present instance, have refused to give up the individual from whom he had received the information. This was a well understood compact, subsisting between the conductors of the Press and the persons through whom they derived their information upon the subject, and no editor or proprietor would give up or betray his correspondents without their personal consent. The only difference, therefore, between the present case and those which occurred every day of the year, consisted in the refusal of Mr. Sheehan to answer questions which no person placed in his situation would have felt himself at liberty to answer, and the House would recollect, in coming to a decision upon the question, that the onus of this responsibility had been forced upon him by the course which had been pursued by the right hon. the Secretary for Ireland.

Mr. *Portman* observed, that the case of Mr. Sheehan, considered apart from his conduct at the Bar, was not a new case; it was his refusal to assist the House with information, which constituted his chief offence. He would not recommend the committal of Mr. Sheehan to Newgate, but rather to the custody of the Serjeant-at-Arms, where he might have a *locus pœnitentiæ*.

Sir *Robert H. Inglis* said, there could be no doubt that a breach of privilege had been committed, and such a breach as ought to be punished in the usual manner; and it was, therefore, waste of time to occupy the attention of the House further with the subject.

Mr. *Shaw* disclaimed, on his own part, and on the part of his hon. friends, any intention of attributing to the right hon. Secretary (Mr. Stanley), that he had brought forward the subject with reference to the line of politics adopted by the paper in which the document appeared. Differing as he did from the right hon. Gentleman in politics, he was perfectly convinced that the right hon. Gentleman had not been biassed in any degree by the politics of the paper. His hon. friends considered, however, that it was a hard case to punish Mr. Sheehan for a breach of privilege, in publishing a Report of a Committee, when it was well known that breaches of privilege passed unnoticed every day. Without entering further into the general question, he wished to call attention to two points which appeared to be relied upon by the right hon. Secretary as aggravations of the offence. It was stated as an aggravation, that the report in question, though distributed amongst the Members of the Committee, had never been presented to that House; and the second circumstance was, an article which had been published in *The Evening Mail*, in reference to the pretended report. Now, as regarded the first point, it had not appeared that Mr. Sheehan was aware that the report had not been presented to the House; and as to the article which appeared in *The Evening Mail*, and which was printed subsequently to the publication of the report, there was no evidence that Mr. Sheehan had written that article. It was in evidence that he was the proprietor, but it did not appear that he was the editor; and he (Mr. Shaw) understood the fact to be that he was not the editor. He might have indiscreet friends in Dublin; but he was sure the right hon. Gentleman would not desire to visit that circumstance on Mr. Sheehan. He had merely thrown out these observations for the consideration of the right hon. Gentleman at the House.

Mr. *O'Connell*—I wish to ask, whether it makes any difference that the document did not refer to any proceeding of this House?

The *Speaker* said, that no Member of the House, who was not also a Member of the Committee, could have been presumed to know anything of the document which the resolution referred to.

The question on the Resolution agreed to.

Mr. *Stanley* said, that, looking to all the circumstances of the case, he felt bound to follow up the Resolution which had just been agreed to, by moving that Mr. Sheehan should be committed to the custody of the Serjeant-at-Arms. He thought it was also better that the officers concerned in printing and distributing the Reports of Committees should be in attendance to-morrow evening, in order that, if Mr. Sheehan persisted—as he (Mr. Stanley) trusted he would not do, upon better reflection—in concealing the means by which he became possessed of the document, they might endeavour to trace it out by a strict examination.

Ordered accordingly.

STATE OF THE DRAMA.] Mr. *Edward Lytton Bulwer* rose, pursuant to notice, to move for a Select Committee for the purpose of inquiring into the State of the Laws affecting Dramatic Literature, and the performance of the Drama. They all knew that there was a patent granted to the two great theatres for the performance of the drama. The extent and power of these patents, with the laws by which they were strengthened, had long been a matter of dispute; but by the late decision of a high judicial authority, it seemed that all performances worthy of the attendance of persons pretending to a reasonable degree of education—all performances, except those of the most mountebank and trumpery description, fit only for the stages of Bartholomew Fair—were to be considered as infringements of the law, and as subjecting those who assist in them to serious penalties. The minor theatres were, therefore, at this moment—with their many thousand actors, proprietors, and decorators, who depend for support on their existence—without the pale of the law; and the question was, therefore, forced before the public in the following shape:—"How far is it expedient for the public, that privileges and enactments of this monopolizing description should be continued; how far is it expedient that the minor theatres should be suppressed, and the exclusive patents of the two great theatres should be continued?" In the first place, he contended, that the original reason for suppressing the minor theatres had long since ceased to exist; and, in the second place, he contended, that the only possible ground upon which these patents were given in trust to the metropolitan theatres had not been fulfilled. Now, the reason for suppressing the minor theatres appeared, both by Act of Parliament and in the literary history of these times. In the licentious period in which the first patents were granted, viz. the time of Charles 2nd, in all the unbridled re-action and intoxicated ferment of the Restoration—it seemed that the minor theatres were the scene of very disorderly and improper exhibitions; and it became necessary to suppress them—not so much for the sake of preserving decency as of protecting the drama. But did that reason exist at present? Could any who had ever by accident attended the smaller houses, assert that the performance and the audience were not of the most decorous and orderly description? So far as that consideration went, the minor theatres were fully as entitled to a license as the two great theatres themselves; and the original reason, therefore, for suppressing the minor theatres had, amidst the growing good taste and civilization of the age, entirely ceased to exist. On the other hand, why was a patent granted to two theatres alone? There was but one possible ground—there was but one alleged ground—for the preservation of the dignity of the national drama. Now, how had the patents obtained that object? It happened, curiously enough, that no sooner were the two great theatres in possession of this patent, than the national drama began to deteriorate, and a love for scenic effect to supersede it. It was a reproach made to Sir Wm. Davenant, it was a reproach made to all the stage managers under the new patents, that they looked, as their chief object in theatrical decoration, to a mechanical improvement. This reproach, with more or less justice, had constantly existed—this reproach, with peculiar justice, existed at the present time. Indeed, it was impossible to look back to the last fourteen or fifteen years without being struck with the extraordinary poverty of intellect which had been displayed in the legitimate drama, compared with that which any other department of literature had called forth. There had been exceptions, very honourable exceptions; but, never had any general rule fewer exceptions; and he was tempted to ask, with the Lord Chancellor, not how many plays had been produced of our literature, but rather, how many plays had been produced fit for grown-up men and women to go and see? When the Legislature had given so vast a privilege to two theatres, solely for one object, viz. the preservation of the dignity of the national drama, it was bound in justice to see if that object had been effected. It was bound in justice to say, "where are the plays, to produce and encourage which we gave you this exclusive privilege? Where are the immortal tragedies, where are the chaste and brilliant comedies? You were to preserve the dignity of the drama from being corrupted by mountebank actors and absurd performances; you have, therefore, we trust, driven jugglers and harlequins from the national stage; you have admitted no wild beasts; you have introduced no fire-eaters and sword-swallowers; you have preserved the dignity of the national drama inviolate; you have left it such as it was when you took it from the hands of Ben Jonson or Shakespeare; for if you have not done this, then you have not fulfilled that object for which we took from your brethren those privileges we have intrusted to you." When they looked round and saw the dioramas, and the cosmoramas, and the jugglers, and the horses, and the elephants, and the lions, which had been poured forth upon the stage, they could not but feel that the dignity of the drama had not been preserved, and the object of these patents had not been fulfilled. Seeing, then, that the reason for suppressing the minor theatres no longer existed, seeing, that the object of these patents had not been realized, they were enabled to take a broader view of the question, and to recognize the monstrous injustice that the law inflicted on the public; for was it not absurdly unjust to say to the immense and scattered population of this metropolis, you shall go only to two theatres for the harmless recreation of a play—no matter how remote the habitation of the play-goer—no matter how inconvenient for the purposes of hearing and seeing, the arrangement of the theatre? Paddington and Pimlico, Westminster and the Tower Hamlets, Mary-le-bone and Shoreditch, were all to disgorge their play-going population in the direction of Covent Garden or Drury Lane, where, when they had at last arrived, they would find, not perhaps a tragedy, not perhaps a comedy, but a very fine scene in a very bad melo-drame—or, perhaps, if they were in eminent luck, a couple of lions and a diorama by way of keeping up the dignity of the national drama. Was not this, indeed, unjust to the public, whom it deprived of all the numberless advantages of competition? Was it not unjust to the author and the actor, whom it limited to so overstocked and narrow a market? But it might be said that the minor theatres, notwithstanding their illegality, continued to exist, and that this injustice to the public was not, therefore, committed. But would not that fact alone be sufficient ground for inquiry? The small theatres were liable to serious penalties. They were told that those penalties would be enforced. If enforced, what injustice on the part of the law! if not enforced what mockery of the law. In either case amendment was necessary. Laws that were iniquitous should be altered; but so also should laws that were impracticable. Why expose the laws to be at once hated for their doctrine and laughed at for their impotence? Why have all sound and fury in the theory, signifying nothing in the practice? Besides, if the law could not, in the teeth of public opinion, shut up the small theatres, why not let them assume a respectable, a lawful character? What encouragement did it give to the proprietors of the minor theatres for a regular and continued spirit of enterprise, while this uncertainty hung over their head? What injustice this precarious uncertainty of the law caused. One proprietor broke the law with impunity. The Lord Chamberlain, however, honoured the illegal theatre with his presence—sanctioned the illegality by his patronage—and another proprietor, as at that moment was the case, might be suddenly prosecuted and cast into prison for the crime of earning his bread exactly in the same manner as his brethren, but not exactly with the same fortunate impunity. Let, then, these laws be defined, and let them be clear and uniform in their application. Let the public be informed what theatres shall exist, and the actors what performances they shall be allowed to act—and do not let the law keep up iniquitous uncertainty, which, while it rendered the property of the minor theatres so precarious and illegal, frittered away by contraband far more than it would by open rivalry, the property of the great theatres—involved them in constant prosecutions, and constant litigations, and made the public ridicule as impotent, or hate as tyrannical, those who enforced the law, and sympathise as martyrs or heroes with those who defied it. A great cause of the deterioration of the drama, it was universally acknowledged, was to be found in the size of the theatres. It was in vain to expect plays that should not depend upon show, in theatres where it was impossible to hear. The enormous size of these houses rendered half the dialogue lost to half the audience, and thus the managers had been compelled to substitute noise, and glitter, and spectacle, and the various ingenuities of foil and canvas, for wit which would be three parts inaudible, and for pathos which would scarcely travel beyond the side-boxes. It was absurd to hope that the drama could be restored until it was exhibited at houses of a convenient size. But what was the cause of the overgrown size of these theatres? Why, the patents. No sooner were the proprietors of the two great houses in possession of the exclusive right of entertaining the town, than they naturally enlarged their houses, to take in as much of the town as possible. The patents encouraged them to hope for unreasonable profits, and their only care was, to find room for all the new comers whom they thought would be driven into their net—quite forgetful, that though the law might shut up a commodious theatre, it could not force the public to yawn and shiver in an inconvenient one. But it was said, that the proprietors of one, or both, of the large theatres intended to diminish the size of the theatres, and to make them reasonably less; but while that would be a very fair arrangement for one part of the public, would it be fair to the other part? while it would be very fair to those who were admitted, would it be fair to those who were excluded? Would it be fair to the public to say, "You shall go only to two theatres," and then to reduce the size of those theatres, so that only a very small part of the public could be admitted? But, as the size of the houses was diminished, the character of the drama would be elevated—a new impetus would be given to the stage—people would be able to hear and see better—many more persons than at present would be desirous of going — but where were they to go? Exactly at the time that you would increase the number of the frequenters of the theatre, you would diminish the accommodation afforded them. So that the two houses were in this dilemma; either they must retain their present size, and the legitimate drama must continue debased or banished, or they must lessen their size, and commit a greater injustice to the public, exactly in proportion to the greater improvement they made in the stage. No: while they reduced the size of the theatres, in order to restore the drama, they must increase the number of the theatres, in order to receive the public. Now there was also another point he should just touch upon—viz., the authority of the Lord Chamberlain, and more especially that of the Dramatic Censor. It might, perhaps, be remembered, that when Sir Robert Walpole brought in the bill, commonly called the Play-house Bill, in which the authority of the Censor was for the first time settled and defined, Lord Chesterfield said, in his celebrated speech on that bill, "That we were about to give to the Lord Chamberlain, an officer of the household, a power more absolute than that which we would extend to the Monarch himself." He was at a loss to know what advantages they had gained by the grant of this almost unconstitutional power. Certainly, with regard to a Censor, a Censor upon plays seemed to him as idle and unnecessary as a Censor upon books. Let them look back for a moment, although until Walpole's Bill, the powers of a censorship seem to have been unsettled and doubtful; it was certain, at least, that the Master of the Revels at first, and the Lord Chamberlain afterwards, exercised a right similar to that of a censor; whole passages in Davenant and in Massinger, were expunged by the Master of the Revels; and now mark how really useless, so far as morality was concerned, were the pains he took upon the subject: They knew what those passages were; they contained only some vague political allusion, and did not contain a line of the indecencies and immorality that might be found in those plays. And why? Because a Censor sees only with the eyes of his contemporaries, and because the custom and temper of the times sanctioned the indecency and the immorality. The only true censor of the age, was the spirit of the age. When indecencies were allowed by the customs of real life, they would be allowed in the representation, and no Censor would forbid them. When the age did not allow them, they would not be performed, and no Censor need expunge them. For instance, while the Licenser at this moment might strike out what lines he pleased in a new play, he had no power by strict law to alter a line in an old play. The most indelicate plays of Beaumont and Fletcher, of Wycherly or Farquhar, might be acted unmutilated, without submitting them to the Censor; but they were not so acted, because the good taste and refinement of the age would not allow them; because, instead of attracting, they would disgust an audience. The public taste, backed by the vigilant admonition of the public Press, might, perhaps, be more safely trusted for the preservation of theatrical decorum, than any ignorant and bungling Censor, who (however well the office might be now fulfilled) might be appointed hereafter; who, while he might strain at gnats, and cavil at straws, would be without any other real power than that of preventing men of genius from submitting to the caprice of his opinions. There were two other points for the Committee to consider; viz., the number of theatres that should be allowed, and the performances they should be permitted to exhibit. With respect to the first, he would read a short passage from Sir W. Scott's Life of Dryden, which was applicable in itself, and emanated from no common authority. 'I do not pretend,' says Sir W. Scott, 'to enter into the 'question of the effect of the drama upon 'morals; if this shall be found prejudicial, 'then two theatres are too many; but, in 'the present woeful decline of theatrical 'exhibition, we may be permitted to re'member, that the gardener who wishes 'to have a rare diversity of a certain 'plant, sows whole beds with the species; 'and that the monopoly granted to two 'huge theatres must necessarily diminish, 'in a complicated ratio, both the number 'of play-writers, and the chance of any'thing very excellent being brought for'ward.' Now, he must confess, for his own part, that he thought the public likely to be the best judge as to the number of theatres. On the one hand, he did not think there would be more theatres than could find audiences to fill them; on the other hand, he thought there ought to be as many theatres as the public were willing to support. With regard to the performances, he did not think it would be wise to lay any restrictions on the legitimate drama; for, putting out of the question the difficulty of defining what the legitimate drama really was—a difficulty that would open the door to new disputes, and new litigations—he thought it was absurd to allow what was frivolous and to forbid what was great; to allow vaudevilles from the French, and not to allow tragedies from Shakespeare. It was unjust to the public to suffer what was indifferent of its kind, and to forbid what was best of its kind; to allow what might lower and enervate the public taste, and not to allow what might refine and exalt it. He would wish them to leave the stage free from such restrictions; and in so doing he did not ask them to try any novel experiment, he only asked them to leave it such as it was in the days of Massinger, and Beaumont and Fletcher, and Jonson and Shakespeare, when seventeen theatres were constantly open to a metropolis a tenth part of the size of London at present, and a population by a hundred degrees less wealthy and intellectual. He now came to the last point he should touch upon; viz., the state of the laws regarding dramatic copyright. As they had heard a great deal in that House of the advantage of the close boroughs, in returning to Parliament men of intellectual habits, whom some hon. Members declared were the Representatives of literature, he might ask, what had they done for the literature they represented? The state of the law regarding literary property was infinitely more harsh and inconsistent than that existing in France; but the state of the laws regarding dramatic copyright alone, would long be a proof how indifferent that House had been to the general claims of that property, which ought to be the most sacred of all, because it encouraged all — because it ennobled all—because it produced all—the property that is derived from intellectual exertion. The instant an author published a play, any manager might seize it —mangle it—act it—without the consent of the author—and without giving him one sixpence of remuneration. If the play was damned, the author incurred all the disgrace; if the play succeeded, he shared not a farthing of the reward. His reputation lay at the mercy of any ignorant and selfish managerial experiment; he might publish a play that he never meant to be acted, that he knew would not bear to be acted; but if, as in the case of Lord Byron, his name alone would attract an audience, he was dragged on the stage, to be disgraced against his will, and was damned for the satisfaction of the manager, and the dignity of the national drama. He had no power—no interest in the results of his own labour—a labour often more intense and exhausting than the severest mechanical toil. Was this a just state of things? The commonest invention in a calico—a new pattern in the most trumpery article of dress—a new bit to our bridles—a new wheel to our carriages—might make the fortune of the inventor; but the intellectual invention of the finest drama in the world, might not relieve by a groat the poverty of the inventor. If Shakespeare himself were now living—if Shakespeare himself were to publish a volume of plays, they might be acted every night all over the kingdom—they might bring thousands to actors, and ten thousands to managers — and Shakespeare himself, the producer of all, might be starving in a garret. The state of our laws in this respect was scarcely credited in foreign countries. In France, no work of a living author could be performed at any theatre, provincial or metropolitan, without his formal consent, on the penalty of forfeiting the whole profits to the author. In Belgium, the same law existed, and in both countries the author's family, his widow, his children, succeeded to his intellectual property, and for a certain number of years, shared in its profits. By this a two-fold purpose was served; justice was done on the one hand, and emulation excited on the other. Should they, then, be more backward — more unjust than their neighbours, and should these poor authors who had so much to struggle against, in the common literary calamities of a slender income and a diseased frame—be the only men in the whole community, literally denied that necessary blessing pledged by every free State to its subjects, viz. the security of property? He trusted he had established sufficient ground for the appointment of a Committee, but, as one of the English public, and as a Member of that House, he was desirous that the age, the nation, and the Legislature should be freed from the disgrace of these laws on the one hand, and the want of law on the other, which were so glaringly unjust in themselves, and so pernicious to one of the loftiest branches of intellectual labour. He moved for a Select Committee to inquire into the law respecting Dramatic Literature, and the performance of the Drama.

Mr. *O'Connell* seconded the Motion.

Sir *Charles Wetherell* thought many of the observations of the hon. Member for St. Ives were a sort of side-scene slap at Lord Brougham. He had, after an elaborate inquiry — having called the Chief Justice of the Common Pleas and Mr. Justice James Park to his assistance—given his judgment and advice to the Crown, that the Crown, though it might allow the minor theatres to keep open for a longer time than at present, ought not to allow them to keep open all the year. That was saying, by implication, that the Crown ought not to consent to the establishment of additional theatres, and against that judgment the Motion and speech of the hon. Member were opposed. Lord Brougham had, then, by implication, decided that the multiplication of small theatres was not advisable. He (Sir Charles Wetherell) objected to the Motion for appointing a Committee, however, because it was interfering very unnecessarily with the prerogative of the Crown, which had hitherto been exercised with great judgment. That was a very ancient prerogative, and without some necessity he could not consent to reform it. The House had Reform enough upon its hands without also reforming the prerogatives of the Crown and all the theatres. If any case of abuse were made out, he might, perhaps, agree to the inquiry; but till a case of abuse was clearly established, he certainly should oppose the Motion. If a case of abuse were established, he would then support the hon. Member; but to hear what was said on the subject, it might be supposed that the liberty of the people was invaded — that the Habeas Corpus Act was suspended, so much was made of dramatic liberty being infringed and violated. He admitted that the stage was deteriorated—that lions and tigers had taken the place of actors — that camels and camelopards now walked over the boards, and that the whole theatre had departed from the classic models of Shakespeare and Ben Jonson. Admitting this, however, what was the remedy? Why, to multiply the theatres. Then we should have similar spectacles in the Tower Hamlets and in the Finsbury Divisions—we should have lions and leopards in Lambeth, and camels and camelopards in all parts of the town. To multiply the theatres, instead of purifying them, would only render what was bad, incurable and intolerable. Again, with respect to the composition of pieces; did the hon. Member suppose that multiplying theatres would improve that? At Paris there were thirteen or fourteen theatres, and he had never heard that it made any modern Corneilles or Racines. The multiplication of theatres had there only deteriorated and depraved all composition for the drama, and the same effect would take place here. The moral discipline of the theatre was the next point noticed by the hon. Member. Now he denied that that discipline was likely to be improved by an increase of the number of theatres. He could state advisedly, and his observation was founded on historical research, that in proportion to the multiplicity of theatres, the moral discipline had been relaxed. To take away from the Crown the wholesome exercise of that power which it at present enjoyed with reference to theatres, would, in his opinion, be a most improper interference on the part of that House, especially as no case whatever had been made out for any such interference. He believed that the hon. Member, versed as he was in these matters, could not show a single instance where this power had been abused. The hon. Member could not, he was convinced, mention any case in which the Lord Chamberlain had refused to license a drama which could, with propriety, have been played. He therefore thought, that a proposition for the removal of the salutary control which at present existed ought not to be entertained by that House. If they did away with that control, anything, however sacred, might be made the subject of dramatic exhibition. By taking such a step, they would at once say, that the Crown had no right to interfere. But if they did not go to that extent—if it were not contended that this power should be wholly abrogated—then it necessarily followed, that the Crown should watch over and protect the interests of religion and morality, as connected with theatrical representations. The hon. Member had adverted to literary property as connected with the drama, and regretted that it was not better protected. In descanting on this part of the subject, he had complained that some of the close-borough men, who were literary characters, had but ill requited the advantages which they owed to literature, by neglecting its interests in that House. That, however, as a general proposition, was not the fact. Some of those literary close-borough men had strenuously advocated the cause of literature, whenever it was directly or incidentally brought before that House. It was alleged that the decline of the drama here was to be traced to the present monopoly. But if, in modern days, the classic drama had gone down in England, it had also gone down in France, where a different system prevailed. Did the hon. Member hope, if his views were carried into effect, to restore the golden age of dramatic literature? Did he imagine that he could give to us other Shakespeares and other Ben Jonsons? He (Sir Charles Wetherell) contended, that with thirteen or fourteen paltry theatres, the legitimate drama was less likely to flourish than with two great ones. The passing or the rejecting of a "Dramatic Bill," at Drury Lane or Covent Garden, stamped the work with the character of merit, or consigned it to deserved oblivion. The audiences at those theatres formed a body of competent judges. Could the same be predicated of those who probably would attend the host of minor theatres, the establishment of which appeared to be the object of the hon. Member? He did not think, if the proposed change were made, that it would lead to the production of such works as Addison's *Cato*, or Dr. Johnson's *Irene*. Considering the variety of questions which this subject embraced, as it related to theatrical property, to the encouragement of dramatic genius, to the interests of morality, and to the prerogative of the Crown, he thought that they were called on by this Motion to go into, not merely a useless, but a very mischievous inquiry. He opposed this Motion, amongst other reasons, because he believed that every interest of the drama would suffer by agreeing to the proposition, and thereby, in some degree, sanctioning the sentiments of the hon. Member. The object of the hon. Member seemed to be, the indefinite multiplication of theatres. Now he had the opinion of a dramatic writer—a man of acknowledged taste—and that opinion was, that the establishment of a great number of theatres would not be the means of producing excellent plays; but, on the contrary, that it would tend to the multiplication of bad plays and worse actors. For these reasons he should oppose the Motion.

Mr. *Lamb* would not enter into any competition with the hon. member for St. Ives on the subject of dramatic criticism, for, though he had formerly known something of the matter, he had not of late frequented the theatres much, and he knew he should be no match for the hon. Member. He admitted that there was a great falling-off in the drama, owing, he believed, to the falling-off of patronage, and the encroachment of the minor theatres, which had brought theatrical property into a most inefficient and inconsistent state, and showed that a full inquiry into the subject was needed. He should not have much time to attend the Committee, but, if that were to go fairly into the subject, and examine the influence of the prerogative, the power of the Licenser, the management and discipline of the theatres, they would find that the inquiry would last longer than the longest five-act play. He had rather the motion for a Committee had originated in the House of Lords, where the officers to whom the Crown delegated its powers over dramatic performances had seats. He considered that the drama had always flourished more under kingly than any other patronage, as, for instance, under the patronage bestowed upon the theatre by George 3rd and George 4th. Referring to the recent hearing of the claims of the major and the minor theatres in Lincoln's Inn Hall, he said, he did not mean to impeach the judgment of the Lord Chancellor and the learned Judges who assisted him on that occasion; on the contrary, he believed it to be perfectly just and equitable; but it had the singular effect of completely dissatisfying every party concerned, not an uncommon case, certainly, with the decisions of Courts of Law. With regard to the question of prerogative, so many Acts had been passed limiting the powers of the Monarch, that it was really too late to say that Parliament had no power to interfere; but he would much rather extend the powers of the King's Officer, the Lord Chamberlain, than give the control into the hands of the Magistrates and Courts of Law; for, in his opinion, the more the controlling power was placed in the hands of the authorized officers of the Crown, the more flourishing would be the drama. The hon. Gentleman said, it would be a dethroning of the King's prerogative. Why! was not that prerogative practically violated every night? And if ever the Act for limiting the number of concert and ball-rooms was violated, it was violated every night by the performances of the theatres in the suburbs. He did not mean to stand up as the champion of the patent theatres; let them have their rights—he did not see why the whole matter between them and the minor theatres should not be amicably adjusted. One great advantage of a legal settlement of this question would be, the establishment of the censorship of the Chamberlain over the performances at these minor theatres, which was loudly called for, and would be of great service to public morality. Some of their exhibitions were exceedingly improper, and it must be in the recollection of hon. Gentlemen, that at one of these houses the murder perpetrated by Thurtell was represented before the trial, and the curtain dropped as the Judge was putting on his black cap. As the Committee was to be granted, he should not trespass on the House at any length; but if the hon. Gentleman imagined that the effect of this Motion would be to multiply theatres, he begged to state, that he was an enemy to such a multiplication. The effects which he anticipated were two-fold—first, upon literature; and secondly, in relation to police. The multiplication of theatres would, he was sure, be of no service to literature; and, as to police regulations, no one could deny its injurious tendency. He hoped the result of the labours of the Committee—and he feared they would find themselves in a labyrinth from which they would not be easily extricated—would be, to place the police of theatres on a consistent and intelligible basis. He hoped they would be subjected to proper regulations, and that we should no longer behold a law, which was either a perfect mockery, or else put into execution through motives of vengeance or favouritism. With regard to the question of dramatic authorship—that of giving to authors a copyright in the acting of their plays—he himself had once attempted to bring in a bill for that purpose, and he only desisted because the dramatic writers came to him in a body and said that the bill would be perfectly useless and nugatory; and, upon reflection, he was convinced it would be so, unless a clause were inserted, empowering any Justice of the Peace to convict an offender. Though the hon. Member had referred to the example of France, he would find, on an investigation of the point, that notwithstanding the numberless Acts passed there for that purpose, it had been found extremely difficult, if not impossible, to protect the rights of dramatic authors.

His desire was, as he had already said, that the connection between monarchy and the drama should not be severed. The drama, he repeated, was the flower of the Crown—the child of monarchy—and he did not think that it would ever flourish under any other parent. He trusted that the result of the labours of the Committee would be, to place the theatres in this metropolis upon a proper footing, and the Motion should, therefore, have his support.

Mr. *William Brougham* thought, that his hon. and learned friend (Sir Charles Wetherell) had taken rather a mistaken view of the effect of the Lord Chancellor's decision in relation to the question before the House. At the time the reference was made to the Lord Chancellor, assisted by the Vice-Chancellor and other Judges, the question to be discussed was, as to the state of theatrical property as it then existed, the validity of the patents, and the interest of certain creditors of the larger theatres in the result; and judgment was given, partly on the ground of validity, and partly on that of the interest of the creditors. But the question which the Lord Chancellor had to try was one thing, and that which it was the duty of the House to consider was another. It was for the House to inquire into the state of the law, and also into the propriety of that law, with a view of rectifying it if it were wrong and productive of evil; whereas, it was merely the duty of the Judges to pronounce their opinion upon the law as it stood; and it was the sole object of his hon. friend's Motion for a Committee to inquire into the state of the law. He did not imagine that, when Shakespeare wrote, there were such large theatres as Drury Lane and Covent Garden. He was sure that the drama was not benefitted by them; on the contrary, if they wished to encourage the drama, they should encourage smaller theatres, where they might have an audience more select and more capable of appreciating the higher beauties of the drama than the mixed audiences which generally attended the larger theatres. In smaller houses the actors could be both seen and heard, which would be a great advantage not only to the audience but to themselves; whereas, in the large wildernesses of Covent Garden and Drury Lane no man, unless he were fortunate enough to secure a seat near the stage, could either see or hear. And what had been the consequence? Why, the drama had degenerated into melo-drama, and horses, and elephants, and jugglers occupied the stage. As the law now stood, any minor theatre, within twenty miles of the metropolis, performing any pieces except burlettas, violated the law, and every actor was liable to a penalty of 50*l.* for each performance. And if public opinion was so strong as to enable actors to violate this law night after night with impunity, surely this was a reason for inquiry—this was a reason for legalising those theatres which the public necessity commanded. His hon. friend near him (Mr. Lamb) said, that the Chamberlain had power to license theatres; but the Chamberlain had only power to authorise the performance of burlettas. His hon. friend differed from him in opinion, but he had carefully considered the laws relating to the subject, and must adhere to his own opinion, which was most distinctly that every theatre performing the drama, whether with the Chamberlain's license or without, was liable to an information. The fact was, they performed regular comedies and tragedies, which could not be denied. It was, indeed, difficult to say what was a burletta and what was not. He had heard it maintained that any play, into which music was introduced, became a burletta; and he had heard that *Othello* even had been performed as a burletta, which was effected by having a low piano-forte accompaniment, the musician striking a chord about once every five minutes, but in such a manner that it was totally inaudible to the audience. He conceived that no man could deny the claims of an increased population to an increase of places of amusement. The mass of the people could not enjoy those more polished amusements of Almacks, of driving out, &c. and, in his opinion, they could partake of no amusement more harmless than that to be found in a well-regulated theatre. He gave his most hearty concurrence to his hon. friend's Motion.

Mr. *John Campbell* said, he should strenuously support the Motion. The laws respecting theatrical representations must be revised. At all the minor theatres an Act of Parliament was nightly violated, and with public approbation. Regular tragedies and comedies were there acted, without even the subterfuge, some time resorted to, of occasionally touching the keys of a piano-forte, although the license extended only to music and dancing.

These representations were attended by persons of the gravest character. The hon. and learned member for Boroughbridge himself probably recreated himself from the labours of the Reform Bill, by going to the Olympic, and admiring the performances of Madame Vestris. Yet the proprietors, managers, and performers, at these theatres were liable to a penalty of 50*l* a night, and, till very lately, might be punished as rogues and vagabonds. This was a state of things which ought not to endure. Where the laws and the habits of the people were at variance, there was something vicious in the system; and the laws should be made to conform to the habits of the people, or the habits of the people to the laws. Therefore, if the hon. and learned Gentleman thought that the monopoly of the two patent theatres ought to be strictly preserved, still he should vote for the Committee, that some plan might be devised for effecting that object. For his own part, he thought the principle of free trade should be extended to theatrical representations, and that the state had no right to interfere, except to enforce the observance of decorum, and to see that the pieces represented were not injurious to private character, or to public morals. Some insinuations had been thrown out against the minor theatres; but, he believed, there was more to outrage decency at the great patent theatres; which, indeed, made a greater display of depravity than any theatres in Paris, Naples, or Madrid, and, in this respect, were a reproach to the country. He trusted that, by the exertions of the Committee, a rational code upon this subject might be framed, which would be practically observed, and which, while it repressed every thing improper, would allow the public to be the directors and judges of their own amusements.

Mr. *Hume* was glad to find that the learned Gentleman thought that there should be a free trade in theatres, as well as in other matters. If it should appear, as he was sure it would, that talent was checked and thwarted by the monopoly of the great theatres, the result of the labours of the Committee would effect great good, by doing away with such an evil. It was quite wrong that there should be only two patent theatres in the metropolis, for the performance of the regular drama. The performance of it should be open to all theatres, and the public should not be obliged to come from Mile End, and the Tower Hamlets, to the West end of the town, to witness its performance. Now that they were emancipating themselves from other monopolies, they should also put an end to that very injurious and most indefensible one—a theatrical monopoly.

Mr. *Robinson* thought it high time that the law relating to this subject should be altered. As to the talk about the invasion of the rights of the patent theatres, why they were already invaded, and the invasion could not be prevented. He should support the Motion, because the existing laws were anomalous, and because he considered the people of this great metropolis were entitled to more than two theatres; for, although he did not think dramatic performances were, in themselves, calculated to improve the morals of the people, yet, when he considered the many other temptations to immorality which existed, he must treat them as the lesser evil. Many a man accompanied his family to the theatre, who would, if debarred from such an amusement, spend his time and his money in a public-house, or even in a worse manner. The Motion only contemplated an inquiry, and, in his opinion, it was high time an inquiry should take place.

Mr. *Sheil* said, that there were three subdivisions of the question before the House;—the first was, whether a dramatic censorship should exist, by which a previous approbation by a Licenser should be rendered requisite;—the second, whether certain theatres should enjoy a monopoly of the dead, as well as living, genius of the country, through their exclusive right to represent regular tragedy and comedy;—the third, whether means ought not to be taken, to give to dramatic writers a privilege analogous to that which was conferred, through the medium of copyright, on other authors. With respect to the first question, the propriety of making a preliminary license indispensable to the production of a new play, he thought that a series of continued facts was preferable to any speculation. In Ireland, a license for a new play had never been required. When a national stage did indeed exist; when Garrick, and Mossop, and Barry, performed before the assembled nobles and great gentry of that country (and, in that country, civilization had at that period reached the highest point to which it could attain), no Licenser was found necessary. Why? Because the spirit of true decorum, and that refinement which is inseparable from decency, forbad the performance of irreligious or immoral compositions, and issued its inviolable injunctions against the infringement of propriety. Reliance ought to be placed on the good feeling and good taste of an intellectual people for the prohibition of whatever might offend the moral sensitiveness of the purest minds. Observe the great evil that may ensue from committing to a Licenser an arbitrary and absolute dominion over the stage. He might consult that fanaticism which is apt to prevail most lugubriously in the minds of those who, by a sudden transition, throw themselves from one excess into another, and who expiate their own aberrations by their rigour towards the faults of others. The next question was, whether the great theatres should have a monopoly of the genius of Shakspeare, and Otway, and Congreve, and Sheridan. Wherefore? Did not the works of these great men, like their fame, belong to their country? If plays were to be performed in minor theatres, wherefore should not the best plays be exhibited, and be thus made the means of diffusing literature, through the most pleasurable medium, through the national mind? The last question was—should not authors be secured some of the fruits of their success? A play is performed; it is eminently prosperous; the author receives a certain sum on the third, the ninth, the twentieth representation. Why should his emoluments end there? Why, as long as the theatre has a profit, should he not participate in it? Why should the managers of the provincial theatres be permitted to perform his play, and allow him no portion of the receipts? Take the case of Mr. Sheridan Knowles. That gentleman—whose name he felt a peculiar pleasure in naming in that House, because he was a near relative of the illustrious person who had in that House been so eminently distinguished—had written a variety of works, which refuted the allegation that dramatic genius was extinct. The tears of thousands who witnessed Virginius, performed by Macready, afforded the best proof that the tragic muse had not departed from the British stage. His new production was as deeply impressed with the signet of genius. Was it not most unjust, that from the performance of his tragedies in the theatres of Dublin, Liverpool, and Edinburgh, he could derive no sort of emolument? But he was convinced, that to these abuses an end would be put. A great interest had been displayed on this subject by men apparently alien and foreign from it. It was delightful to see the hon. member for Boroughbridge, after his great political achievements, engaging in a discussion so purely literary as this. He was, in truth, a sort of ambulatory encyclopædia—there was nothing he did not touch, and he touched nothing which he did not adorn. But he owned, that to his opinion on dramatic questions he was not inclined to attach any very great importance, when he found the hon. and learned Member mistaking Steele's comedy of *The Conscious Lovers* for Addison's *Cato;* and how could he have made such a mistake with regard to *Cato?* Was he not himself the great stoic of Toryism? Was not Boroughbridge a modern Utica? Did not the hon. the learned, and exceedingly dramatic Gentleman, realize, in the opinion of his party, the famous lines—

"A good man struggling with the storms of fate,
And greatly falling with a falling state"?

The hon. Gentleman had not only been a critic on the drama, but a great performer in those scenes which were now enacted in the political theatre; and he (Mr. Sheil) was bound to acknowledge, that whatever might have been the defects of his character, the hon. and learned Gentleman had, at all events, adhered to the Horatian rule of unity, and observed the celebrated injunction of the poet—

"————servetur ad imum,
Qualis ab incepto processerit, et sibi constat."

Mr. *Edward Lytton Bulwer* could not but allude to the remark of the hon. and learned member for Boroughbridge, that in the days when Shakspeare wrote, theatres were not so numerous as at present. He begged to say, in reply to that remark, that he was only anxious for a restitution of the same system with reference to theatres, as that which existed in the days of Shakspeare; and, with that object, he trusted the House would not hesitate to grant the Committee he sought for by his motion.

Sir *Edward Sugden* objected to the delegating to a Committee of the House the power which was already vested in the Crown. He could not concur in the appointment of a Committee to investigate a subject which the Government ought to take into their own hands.

Motion agreed to, and Committee appointed.

SALE OF BEER ACT.] Mr. *Trevor* rose, pursuant to his notice, for leave to bring in a Bill to amend the existing enactments relative to the sale of Beer in Beer-shops. He was aware he should have several prejudices to contend with, in combatting a Bill which was considered a boon at the time. He had, however, for some time watched the operation of the Act which had been passed for placing the sale of beer upon a different footing from that upon which licensed victuallers were placed. From all that he had observed, the alteration had been productive of increased drunkenness and disorder, and he thought that the time was arrived when some amendments ought to be made. The evidence of the Magistracy and the Clergy, in districts both great and small, and even of some of the working classes, was, that the great number of these beer-shops, spread over the country, led the labouring people into idleness and drunkenness, which, not unfrequently, was the means of the consummation of crime. He did not think that it was any answer to his objections, to say that the Bill had not had a fair trial. Such was not the fact. The Act had been in operation eighteen months, and had been found to fail in all the objects which had been anticipated by its projectors. The shops were opened as early as four in the morning, and did not close till ten at night. The remedies he should propose were, first, the establishing a more complete and perfect responsibility to the magistracy on the part of the beer-seller than existed at present. There was too great facility at present given to parties applying for licenses, which should be checked, by making it necessary that they previously should obtain a certificate that he was a proper person to hold such license, signed by the Clergyman, or two Magistrates of the district. He, should, moreover, propose, that every individual seeking a license for a beer-shop, should be required to give the security, to the amount of 20*l.* each, of two householders, assessed for the taxes, resident in the same parish, for the good and orderly conduct of his house. He should propose, also, that the hours for the sale of beer, instead of, as at present, being from four o'clock in the morning until ten at night, should be from six o'clock in the morning until ten o'clock at night. The hon. Member concluded by moving for leave to bring in a Bill to amend the Sale of Beer Act.

Mr. *Fysche Palmer* said, the hon. member for Durham was an advocate of the old monopoly which had so long disgraced the country, and appeared to be desirous of reviving the system under which the brewers met yearly to regulate the pure strength and degree of wholesomeness, or unwholesomeness, of beer. He objected to the hon. Member's attempt to bring back the beer trade to a state of things which had been the subject of long and general complaint, and which caused the substitution, to a considerable extent, of spirits for beer, in the consumption of the humbler classes. One of the evils of the system consisted in the mode of granting licenses, which admitted of the grossest partiality and injustice. He had hailed with pleasure the passing of an Act that struck at the root of the mischief, and which, he maintained, had been attended with great advantage to the community. Such being his feeling on the subject, he should oppose the hon. Member's Motion for altering the Beer Bill, in the outset, and in every future stage of its progress.

Lord *Althorp* could not agree to the principles on which the hon. Member proposed to found his Bill. He had no objection to the enforcement, as far as possible, of police regulations, with a view to the preservation of order, but disliked the hon. Member's plan of previous security. Neither could he consent to the proposed alteration in the hours of keeping beer-shops open, thinking, as he did, that, if any change were made, it ought to be one which should assimilate the hours observed by public-houses and beer-shops. The effect of saying that beer should not be drank on the premises was to declare, that no beer should be sold except to known persons. He thought it better not to attempt to legislate on the subject at present. It might have been well, perhaps, if the hon. Member had moved for a Committee of Inquiry at an earlier period of the session; but he (Lord Althorp) must object to the introduction of the Bill at a time when it was too much to expect that the matter could be duly considered.

Mr. *Hunt* opposed the Bill, and expressed a wish that beer-shops and public-houses might be placed on the same footing; and, above all, hoped that the power of licensing, as hitherto exercised, would not be allowed to remain in the hands of Magistrates, lay and ecclesiastical.

Mr. *Weyland* had seconded the Motion; not that he approved of the hon. Member's Bill, but because he wished to afford an opportunity of discussing the subject. He declared his opinion that beer-houses were injurious to the community, and ruinous to their owners. Perhaps the House would be surprised to hear, that the number of beer and ale houses in England and Wales was 80,000; which was in the proportion of one to every 200 of the population, or forty families. Half the proprietors of these houses were in a state of ruin, and the commodity sold was frequently of the worst description. At the same time that he saw great evil under the existing system, he did not think the hon. Member's efforts to correct it would be attended with success, because his Motion was short-coming and partial. He would have all men qualified to keep beer-houses, on giving proper security, and thought no distinction ought to exist between the regulations of two sets of houses selling the same article. He did not see why beer might not be sold in a shop, over the counter, like any other commodity. This, however, did not apply to the act of consuming on the premises. On the whole, he recommended his hon. friend (more particularly after the remarks of the noble Lord) to withdraw his Motion.

Sir *Edward Sugden* was not averse from a free trade in beer, but wished to see the enforcement of police regulations, which should prevent beer-shops from being converted into tippling-houses. However, he thought it better for the hon. Mover to leave the matter in the hands of Government, where a disposition appeared to exist to regulate it. He believed that the great body of the Magistrates desired not to have the power of granting licenses.

Mr. *Strickland* expressed the greatest possible satisfaction at what he had heard from the noble Lord, the Chancellor of the Exchequer, upon this question. He was inclined, if any distinction were made, to give the advantage to those places where beer was sold, rather than those where gin was sold.

The House divided on the Motion:—Ayes 12; Noes 109—Majority 97.

STATE OF IRELAND.] Sir *Henry Parnell* moved for the appointment of a Select Committee to inquire into the state of the Queen's County, with a view to provide a remedy for the disturbances there existing.

Sir *Charles Coote* seconded the Motion: he wished to see the county reduced to order and quiet, and free from that excitement which led to acts of outrage, rebellion, and destruction. As a person desirous of residing in Ireland, but who was unable to take his family there, from the want of due security, he was most anxious that the laws should be examined, and, if found unequal to the suppression of outrage, that they should be made stronger.

Mr. *Leader* quoted the opinions of several of the most able administrators of the law in Ireland, to show that the tranquillity and prosperity of that country depended more upon the exertions of her country gentlemen, than upon any attempt to amend the laws at present in existence. The want of Poor laws, and the distressed condition of the people, combined with the conduct of the gentry, were the cause of the disturbances in Ireland. The object of those who had induced his right hon. friend to bring forward this Motion was, he was afraid, the renewal of the Insurrection Act, a measure which he deprecated. For this reason he should feel himself bound to oppose the motion of the right hon. Baronet.

Mr. *Wyse* also expressed his determination to oppose the Motion. He had just returned from the scene, and could bear witness to the prevalence of a system of terrorism. There was no sympathy, however, between the criminals and any class of the people, and he thought, therefore, that the existing laws were sufficient for the suppression of the disorders. He believed, that any extraordinary exertion of the powers of the Legislature would be useless. Let the Irish proprietors live at home; let them lend their endeavours to better the condition of the poor, and Ireland would cease to be disturbed. But while the present state of things continued, he was satisfied, that all coercive measures would be useless, or worse than useless.

Sir *Frederick Trench* said, that Queen's County was one of the most peaceful and well-conducted counties in Ireland. There was a link between the middle classes and the peasantry, and there was not that want of connexion between the two which had been deplored. The gentry of that county set an example to the whole of Ireland, in the attention which they paid to the comfort and welfare of the peasantry. What was the altered state of the county now? That county was now in a most deplorable situation, and what was the cause? A person, well known in Ireland, had set up his standard in opposition to the payment of tithes, had been acknowledged on all hands—he had himself avowed it in his examination before the House of Lords, that he had set an example to the people of that part of the kingdom: every man must admit that he had done so. The individual to whom he referred was Dr. Doyle. Looking at the number of outrages now committed—at the increase of crimes—he must say, that he took a totally different view of the subject from the two hon. Members who had last addressed the House. He thought that inquiry was necessary, and he would not object to the appointment of a Committee, though he did not think that it would produce any immediate and beneficial effect in Ireland. In the first place, it would be occupied between two and three months before it could come to any conclusion; and then would but recommend the adoption of some measures that would have afterwards to be carried into execution. During all this time the disorders in the country would continue unchecked. Something, however, ought to be done by the Government immediately, for the system of terror was such, that hardly any respectable person could live with security in the country. It was not necessary to cite instances, but he could not help giving one. The son of the Bishop of Ossory, one of the most worthy Clergymen of the Irish Church, had been obliged to give up his living on account of the endless annoyance and indignation to which he had been subjected. The hon. Baronet behind him (Sir Charles Coote) was in a similar situation; although, as every one knew, that hon. Baronet had always manifested the greatest attention and kindness to the wants of all around him. Notwithstanding what the hon. Gentleman on the other side of the way had stated, he was sorry to say, that the division between Catholic and Protestant was increased, instead of diminished. The Government was not inclined to give support and assistance to those persons who would embody themselves for the purpose of preserving the public peace, for this reason, that it was contrary to the principle they had themselves laid down—a principle which he should wish to see carried into effect; for nothing would give him greater pleasure than to find the members of both religions acting in unison for the purpose of preserving the general peace of the country. He must confess that he did not view an insurrectionary enactment with the same horror as the hon. Gentleman; for although it might be described as a bloody Act, he thought it was a peace-preservation Act; and although it necessarily interfered considerably with the rights and privileges of the people, still it was attended with great blessings and advantages to society at large.

Mr. *O'Connell* said, the hon. Gentleman who has just sat down, instead of supporting the Motion, appears to me to have opposed it. He talked of the distinction of Catholic and Protestant being put an end to. He expressed a wonderful anxiety to terminate all sectarian distinction in Ireland, and, in the very same breath, he did all in his power to be its most effectual and successful promoter. I ask any one who has heard the speech of the hon. and gallant Member, whether he has not most happily illustrated that kind of oblivion of religious differences which he inculcates. The hon. and gallant Member expressed his dislike to anything like the distinction between Catholic and Protestant, and, in the very same breath, he showed how much his practice differs from his theory, for whilst he expresses a dislike to religious dissension, he accompanies that expression with an attack upon an eminent and distinguished Prelate of the Catholic Church. We have, however, got one declaration from the gallant Member, that there is nothing of Catholic or Protestant in the disturbances at present going on in Ireland. I wish, before I go further upon the subject of the present Motion, to know whether there is any truth in the rumour, that Government have agreed to give their support to the motion of the right hon. Baronet, on condition that there shall be no inquiry into the causes that have produced these disturbances. It has also reached me, somewhat indirectly, that this Motion is nothing more or less than a pretext for the renewal of the Insurrection Act. I hope the Government won't deceive us on this point. Let them for once be candid, and tell us what they mean. I don't speak from authority, but, certainly, the rumour has reached me, that Government have consented to the Committee upon condition that there shall be no inquiry into the causes of the disturbances. It is certainly of importance that, if there be no truth in this rumour, it should be denied. I hope there will be no delusion on the subject. There has been enough of delusion practised towards Ireland, and let the Government at once be candid, and tell us what they mean. Is this Motion an application for the Insurrection Act? I certainly look upon it in no other light. The speech of the right hon. Baronet who introduced the Motion has been a speech for the Insurrection Act. The speech of the right hon. Baronet who seconded the Motion, has been a speech for the Insurrection Act. The Motion itself appears to me to be a motion for the Insurrection Act, and it is, therefore, of the utmost consequence that we should know what are the exact intentions of the Government upon this subject. I again say, that I trust there will be no delusion. Let them speak out plainly, and tell us what they mean. Has not the hon. Baronet spoken of the danger of bringing his family into the country, unless that the law was additionally strengthened. The right hon. Baronet, to be sure, is ready to go there and stand the battle, but he says, that he could not venture to bring his family into the country unless under the protection of the Insurrection Act.

Sir *Charles Coote* explained, that from the representations which had reached him of the state of the country, he did not consider it safe to carry his family there, unless under the protection of some strong measure, but he had not said the Insurrection Act. He felt that the law was unable to repress the disturbances in their commencement.

Mr. *O'Connell:* I would wish to ask, what else can the hon. Baronet mean by a strong measure, but the Insurrection Act? Does he mean to say that there can be any intermediate measure between the laws which exist and the Insurrection Act? I wish to ask, is it possible, when hon. Gentlemen talk of strengthening the existing law, that they can mean anything else but the Insurrection Act? I would wish to be informed more fully upon this point, for it does not appear to me that there can be any medium between the law as it exists at present, and the Insurrection Act? Is there not the Whiteboy Act, every step of which has been trod in blood? Is there anywhere a code of more sanguinary severity? It makes almost every act capital felony, and it is a code to whose sanguinary genius thousands of victims have been immolated. Under this code, assaulting a dwelling-house is made capital felony. To raise the hand is an assault, if the intent be proved; and thus, to raise the hand against a dwelling-house, even though that house be empty, is a felony, punishable by death. Never was there a more sanguinary and terrible law; its every letter is trodden in blood and desolation. I admit that many of these laws have been much mitigated, with respect to offences committed by day, and the beneficial effects of that mitigation have been practically felt, in the restored tranquillity of a part of the country which was before the scene of great outrage and disturbance. Believe me that it is not severity and strong laws that always best succeed. The peace of a county or a country is as often restored by justness and vigour in the execution of laws that do not shock the Constitution, as by resorting to measures of extreme severity and unconstitutional rigour. I have heard much talk about a strong measure. I should like to ask what is meant by a strong measure? The right hon. Baronet who instituted this Motion, and the right hon. Baronet who seconded it, have not pointed out any intermediate measure between the existing laws and the Insurrection Act; and what is the Insurrection Act? I say this, and I say it emphatically, that if the peace of Ireland cannot be preserved without the Insurrection Act, that the connexion between the two countries is not worth preserving for one single hour. I repeat that as my conviction. What is the Insurrection Act? It abrogates all constitutional authority. It goes to supersede the Judges of the Court. It takes away the power and protection of Juries. It destroys the prisoner's right of challenge, and places in the hands of a few individuals, and one or two King's Counsel, the rights and liberties and life of every single man in the entire community. Is this the law that is now sought for? I ask any man in this House, who has ever witnessed the effects of that measure, to say whether, with a heart in his bosom, he can wish for its recurrence? I ask any man who has ever seen the operation of that law in Ireland, to ask his own conscience whether he can consent that it shall be again wielded against the unfortunate people of Ireland? Oh! how often have I watched and traced its progress in oppression, and blood shed, and immorality, and tyranny, and oppression. Oh! how many an act of immorality has it not produced. Many a blooming, chaste, and innocent sister has been seduced to the commission of immorality to bribe some village despot, or some neighbouring Magistrate, that a brother or a father may be kept at home. Oh! how many a farm has been given up, and how many a home left desolate to bribe some heartless landlord, that a father or a brother may not be transported under the operation of this law. How many a claim of right has been surrendered, and how many a litigation given up, to bribe a landlord to make interest, or to exert his own power as a Magistrate, in favour of some unfortunate relative, falsely, perhaps, accused under this Act. Have we not often (and the instances are on record) heard of the policeman hiding gunpowder in the thatch of the house, and sending another policeman to find it? and have not there been instances where a man has been induced by the servant of a Magistrate to walk out of his house after sunset, and when he had proceeded a little from his own house, overtaken by the police purposely sent to watch him, then taken before the magisterial tribunal, and transported. I have witnessed the horrors of that unconstitutional law, and I say that the social state is not worth preserving under the Insurrection Act. It is better that it be dissolved at once. It would be better for Ireland to be annihilated than cursed again with the operation of that horrible and unconstitutional enactment. The Insurrection Act marks the end of all civil government. Every species of abuse, and tyranny, and oppression are perpetrated under its guise. Oh! let me intreat of the Government to abandon all idea of the Insurrection Act. Let them abandon the government of Ireland altogether, or make up their mind to govern it according to the principles of the British Constitution. What then is the pretext for this Committee? what will be the result of its labours? I am anxious for information upon these points. Either this Committee is a pretext for the Insurrection Act, or it is not; if it be not, I cannot conceive what object it can possibly have. Talk, indeed, of an inquiry into the state of the country. Don't you know what the state of the country is? Does not every one know what the state is? If you want a record of the crimes, or a chronicle of the offences, all you have to do is, to look to newspapers, and you will find it. Do you want to know what the state of the law is? Go to the Four Courts of Dublin, or even without going to the Four Courts of Dublin you may acquire that information. What then do you want? I say the Insurrection Act. I can see no other object in the proceedings of such a Committee. It is little wonderful that crime should be committed in Ireland, where so little attention is paid to the condition of the people. Somebody or other is eternally engaged either in transporting or convicting them. The upper classes have no sympathy with the people, and those who ought to be their internal and legitimate protectors, are, in many instances, their most cruel and tyrannical oppressors. What can be expected when the people are driven out upon the roads, or into the bogs, to starve? I have heard a great deal of the disturbances that have taken place in the Queen's County; and I think it was in that county that one single proprietor turned off his estates, and out of their holdings, 800 human beings, who were thus driven into the dykes and ditches to perish or starve. Can any one wonder that such excesses as these should prove the fruitful parent of crime? Can any one wonder that disturbance should exist where outrages of this nature are perpetrated on the people? I have heard of another part of the country—and it is a fact which admits of proof—that an entire village was destroyed, and the inhabitants turned out upon the charity of the winds of the world, because a report had accidentally reached the landlord, that a school belonging to the Kildare-street Society had been pulled down. It is oppressions of this nature, perpetrated against the people, that produce disturbances of this nature. This is what in Ireland is technically called clearing the land; but I ask, do we ever hear of outrages or disturbances throughout whole districts unless, where they are directly produced by this clearing of the land, or by some such oppressions of the people? There is another great source of oppression, the high rent at which land is let out to the people for that food upon which alone the unfortunate wretches subsist. Now, I believe the disturbances in one part of the country which was greatly disturbed were directly to be traced to the high price of the con acre, which was 10*l.* How can there be anything but distress, and discontent, and disturbance, where the con acre is set for 10*l.* ? These disturbances have nothing at all to do with religion they have nothing to do with tithes, on the contrary, the resistance to tithes is from a class perfectly and essentially different from the others. It happens that Mr. Lalor, of Tenekil, who was the first to resist the payment of tithes in that county, had his house and property attacked by those people. These disturbances entirely originate in what is called the clearing of the land; and it is only where the people have been oppressed that the people have at any time attempted resistance. The disturbances of Ireland have a palpable and evident cause. They are produced by the total alienation and estrangement of the upper from the lower classes of society by the accumulation of want in the country, and the continual export of its produce without any return. The people are neglected, impoverished, and oppressed. Can it be wondered at, then, that they should be discontented; and that, under the pressure of evils that press upon them, they should occasionally break out into discontent? The great evil of Ireland is, the accumulation of rent in the country, which is spent out of it. I ask, is not the annual drainage of seven millions out of the country fully sufficient to paralyse and wither the arm of industry? It is astonishing how the country can subsist under such a continual drainage of its resources. Ireland, indeed, may be said to be in the situation of a strong man, who has a vein in his arm opened from which the blood is constantly flowing, and which is a source of progressive and increasing weakness. These disturbances are some of the throes which, in the man, precede death, but which, in Ireland, precede destruction, unless some means be taken to rescue the country from its present position, by measures very different, indeed, from the inquiry of a Committee, or the extension of the Insurrection Act. Such disturbances have often before occurred, and the existing laws have been found strong enough to put them down. All the experience we have had sufficiently convinces us that the existing laws are strong enough to quiet the country, and put down all disturbance. Take any county that is disturbed—the assizes come on—convictions are had—the state of the country may require that this assizes should be followed by a commission. After this, perhaps, a few may be found bold and daring enough to commit crime, but after a short time they relax and in all instances, at the utmost a second commission has been found perfectly sufficient to restore tranquillity to a county. The Insurrection Act, so far from putting down crime, is itself the parent of crime. It has never been found effectual in repressing crime; but, on the contrary, has led to its additional commission. I have considerable acquaintance with those who conduct Crown prosecutions in Ireland, and I believe a majority of those gentlemen will be found to concur in these opinions. I believe, also, that there is at present in this town a gentleman of great experience, who has been many years engaged in conducting Crown prosecutions, and I believe his experience would bear me out in the fact, that all the murders of Magistrates which have taken place in the counties of Clare and Limerick, have been murders of those who were active under the Insurrection Act. This has always been seen to produce dissatisfaction, and those who have suffered by this kind of severity have been ultimately the Magistrates themselves. The Insurrection Act, instead of having a tendency to check crime, has always a contrary tendency, and has uniformly been found inefficacious to repress disturbance. What, then, can be the object of the present inquiry? If we want to get a detail of the crimes that have been committed, we have only to look for their chronicle into the newspapers. If we want to ascertain the state of the law, we shall find it elsewhere, and I therefore should be glad to ask, what good can possibly result from this inquiry, or what possibly can it add to our information, unless the hearing of a tale which we have heard more than a hundred times told? I hope that the Government will treat us with candour, and let us know fairly whether they intend to give us the Insurrection Act, or whether they have any understanding with the right hon. Gentleman, that this Motion should lead to the Insurrection Act. I wish to know whether this Motion is not supported from some secret desire on the part of those who wish for the Insurrection Act. The right hon. Baronet has talked of the security of his family. I can assure the right hon. Baronet ,that no person can be more anxious than I am that his highly respectable family should have all the security and protection possible; but he mistakes if he thinks that protection can or will be derived from the Insurrection Act. Surely he cannot think it. No one would more regret to keep that hon. Baronet or his family out of the country than I should; but would he prefer to return there as a soldier, bearing the Insurrection Act along with him, rather than as a friend, the capacity and character in which he has hitherto visited the people? What way is there in a Committee to state facts, or produce facts of a different complexion from those which have already existed? If this Committee sit, what will be the result of its labours? They may summon witnesses, but what then? Why this; they get one Magistrate to give them a chronicle of offences such as exactly may be found in the newspapers for the last six months: another Magistrate will be ready to indulge some speculation as to the causes of the offences; and a third will be ready to ascribe them all to the interference of Dr. Doyle and the Catholic Clergy. This will be the full amount of the labours of the Committee, and this will be their result. I call upon the King's Government to disconnect themselves from this proceeding. Let them take the preservation of the peace of the country into their own hands. Let them go on with their special commissions, and succeed, as they have already done, in restoring peace and tranquillity to the disturbed districts by the firm assertion of the existing ordinary law. I am sorry that, in the course of the observations which an hon. and gallant Member had made to this House, that the trials of the county of Kilkenny have been alluded to. I was there, and have a right to have some knowledge on the subject, and I must say, that never was any county more slandered than this county by the King's officers. In regard to the acquittal that took place, no conscientious Jury would have come to a different conclusion, and, in my mind, there never was a more upright or conscientious verdict. Now, so far from the law having been found inefficacious, in many instances at those assizes, several convictions took place for Whiteboy offences, and for crimes connected with the combination of the Blackfeet and Whitefeet. With respect to the Jury that tried Kennedy, five of that Jury were nominated by the Crown after all the prisoner's challenges had been exhausted. It is quite impossible that any honest or conscientious Jury would have found a different verdict. I entreat the Government not to resort to the dangerous experiment of the Insurrection Act. It is unwise and imprudent. It is teaching a bad lesson to the people; when you show them an example of a disregard of all decency and respect for the Constitution, and a reckless prostration of all the safeguards which British law has set up for the protection of the subject, you must expect that they will improve upon the lesson you teach them. I sit down in the confident hope, that his Majesty's Government will disavow all those intentions that rumour imputes to them: that they will be frank and candid, and that, above all, they will disavow any intention of again subjecting Ireland to the terrors of the Insurrection Act. If they do, the Committee goes for nothing.

Mr. *Stanley* said, that after the protracted debate which had taken place on this subject, not twenty evenings ago, he should not now detain the House long. If the hon. and learned member for Kerry had heard that debate, he would certainly have thought it unnecessary to put the question, whether the Government were about to support the introduction of a measure so odious as that of the Insurrection Act. He had lost no opportunity—and, unhappily, since he had been connected with the government of Ireland, the state of that country had given him frequent opportunities—of stating his determination, and that of the Government to which he belonged, to adhere, so long as it was at all likely to prove effective, to the ordinary administration of the law, and to repel that extraordinary application of the powers of Government, which, however it might put down an evil at the moment, was calculated ultimately to increase that evil ten-fold; and which put down a weed to raise a stronger and more noxious produce from its root. He distinctly disavowed any intention whatever, by word, act, or any idea entertained in his imagination, of introducing the Insurrection Act into Ireland. If his words were doubted, he appealed from what the Government had said to what they had done. These disturbances he distinguished altogether from those connected with religious questions in that country. They were committed by a very different sort of persons, and arose from a very different cause. With respect to what had been said about the Government desiring not to go into the causes of the disturbances in Ireland, the fact was, that he had told the hon. Baronet, that a motion so framed would be too large for any chance of advantage from the inquiry, and which, if made, would be productive of no result whatever. On the other hand, he thought that some inquiry would be beneficial. That an inquiry into the immediate causes of these crimes; into the manner in which they were perpetrated; into the sort of offenders who committed them; and the mode in which they had before been put down, would be sufficient to show that the existing laws were fully adequate to extinguish these disturbances. The experience of the past had shown this to be the case in Clare, Galway, and Kilkenny, and if he were to select three counties which were now the most peaceable in Ireland, he should choose those three in which, by the means of special commissions, the ordinary laws of the land had been administered. If the Magistrates did their duty in Queen's County, he had no doubt the result would be the same. With regard to inquiry into the causes of the disturbance, he was afraid that that would open such an extensive field of inquiry, that no good result would arise out of it. He thought, however, that it would be of importance to inquire into the state of the disturbances, into the amount of crime, and into the mode adopted in other countries for restoring peace. That, he thought, might be of service, and, were it properly gone about, by some fifteen or twenty Members, he thought that they would find, on inquiry, that the law, as it existed, would be sufficient. He must at the same time say, that the Government did not anticipate any great advantage from a Committee; but nevertheless, if the country required it, he should accede to the request. Something might be done by proper inquiry, and one result he anticipated from it; he meant the disabusing of the Magistrates of the mistaken idea that, since the appointment of a police force, the constables, and others formerly acting under their directions, were not required to act. In conclusion, the right hon. Gentleman said, that he felt he should not be justified in offering any opposition to the Motion.

Mr. *Dawson* thought the member for the Queen's County had not been fairly treated. It was well known that all means had been tried to restore order, but without effect. He must beg leave to contradict the assertion, that the ordinary operation of the law had been found sufficient to repress disturbances in Kilkenny, Clare, and Carlow. The tranquillity which prevailed in those counties was deceitful, and would speedily be replaced by violence and outrage. The present state of many parts of Ireland was such, that gentlemen could not go to church without arms. They could not dine without pistols on the table, neither could they go out without a musket on the shoulder. In such a state of the country, could any one say inquiry into the inefficacy of the law was not necessary? The hon. member for Kerry had said the object was, to apply the Insurrection Act, but he did not believe that was the object. On his own part he disclaimed that object. He did not think the Insurrection Act would answer the desired purpose. At the same time he should say the law had totally failed. In the atrocious murder of the policeman in Kildare the law had been totally inoperative; and he was one who thought the Magistrates had not done their duty. The murderers, up to that time, had not been brought to justice. If a Committee was appointed, there could be no doubt that useful information must be obtained. According to the statement of the hon. and learned member for Kerry, neither lives nor property were safe in Kilkenny; but he could say property had been more secure in that county than any other in Ireland. The banking affairs of that county had always been conducted upon the most admirable system of accuracy; but the moment agitation was excited by demagogues all went wrong. The hon. member for Kerry said, that every thing went out of Ireland, and nothing went in. The fact was, that within a short period 14,000,000*l.* of Stock had been transferred from the Bank of England to Ireland. The hon. and learned Member, too, was constantly in the habit of drawing a very exaggerated picture of the poverty and destitution of Ireland; but he knew that the resources of the country were progressively improving; and in proof of the abundance of capital in that country, he might mention, that in the last five years the sales of land averaged 5,000,000*l.* per annum. These facts proved that speculation and property were in action in that country. When the hon. Member said civil society could not exist with the Insurrection

Act, he might ask, whether civil society could be said to exist in the Queen's County and the county of Kilkenny at the present time? The fact was, no one could go abroad without arms for their defence. He would vote for the appointment of the Committee, because, if it had no other good effect, it would at least show the people of Ireland that the House of Commons was not inattentive to their interests, and they needed that conviction to ensure them confidence.

Mr. *Crampton* said, if the hon. and learned member for Kerry drew pictures in strong colours, the right hon. member for Harwich was no inconsiderable painter in the same way. He rose, however, to defend the law officers, and to deny that Judges and Jury had not done their duty. He was convinced that the Common Law was sufficient to punish crimes, but not sufficient to prevent the disorders which had arisen in the Queen's County. The right hon. member for Harwich had, however, a panacea for the evils of Ireland. That right hon. Gentleman thought if the Tories came into Government all would be right.

Sir *Robert Bateson* wished the inquiry to extend to the disorders of Ireland as they existed, as well as the causes of those disorders. As a constant resident in the north of Ireland, he was enabled to say, there never had prevailed more religious animosity than at present. All were dissatisfied. When his Majesty's Ministers came into office, party animosity was at a low ebb, but it had since increased to an alarming extent. Wanton attacks were made by Catholics on Protestants. It was no longer Protestant ascendency, but Catholic ascendency. There was not equal protection of persons and property. The right hon. Secretary for Ireland must be aware of the frightful extent of emigration then going on. What was the cause of religious animosity in Ireland, carried as it was to a greater extent than ever? It was bad Government. The right hon. Secretary for Ireland had asked what had the Government not done for Ireland? He would answer nothing. It was known that arms had been lately introduced clandestinely to Ireland, with ammunition. The communications from Magistrates on the subject had been treated with contempt, and, in short, his Majesty's Government had taken no steps to prevent those transactions. The hon. Baronet expressed a hope that the Members of the Committee would endeavour to find out the causes of the atrocious crimes which had disgraced Ireland. He had no other object than to put down religious animosity, and restore peace and tranquillity.

Mr. *James Grattan* said, he approved of the appointment of a Committee, but thought that the Motion of the hon. member for Queen's County came too late; for the Session was so far gone that but little could be done at present. He thought that at least the Committee should confine its inquiry into the state of the laws. He thought the efforts of Government had a tendency to restore peace to Ireland. Coercive measures had exasperated the people, until the Magistrates had fallen victims to the laws they were desirous to enforce. If the Irish gentry, instead of drawing their rents and spending them here, should reside at home, and exert themselves to pacify the country, he had no doubt but they would in that case easily succeed.

The Earl of *Ossory* said, that outrages had of late increased. He believed the measures taken had not been sufficiently strong to prevent or put them down. In the present state of things, it would not be possible to get the farmers to combine for the preservation of the peace. He would not oppose the Motion, though he did not see what object could be gained by it.

Mr. *Ruthven* said, this Committee would be received with a great deal of suspicion by the people. He hoped the Government would not be decoyed into a re-enactment of the Insurrection Act. He, as a Protestant, did not entertain the fears expressed by the hon. Baronet (Sir Robert Bateson).

Mr. *Wyse* moved, as an Amendment to the original Resolution, the insertion of the words, after the word Ireland, "and into the immediate causes which have produced those events, and the efficiency of the laws for the suppression of outrages against the public peace." He believed that this Amendment would meet with the concurrence of every hon. Member.

Mr. *Lefroy* hoped more good would result from this inquiry than had been anticipated. The object of it was, to ascertain the present state of the disturbed districts, and the state of the law. The hon. and learned member for Kerry said, they already knew the state of the law, and of the disturbed districts, and, therefore, that the inquiry could be of no use. It was true they did know the state of the law; but they knew also that ingenious and elaborate contrivances had been suggested and acted upon, for the purpose of evading the law. Were they not, under such circumstances, justified in taking such steps as would ensure the execution of the law, and defeat the artifices contrived for evading it? Would it not be fit that a Committee should inquire, for instance, into those immense masses of persons who were in the habit of assembling, and who must, necessarily, overawe the execution of the law? This was the more necessary, after the opinion given by the Attorney General, that it was not competent to read the Riot Act for the dispersion of such meetings. He supported the Motion for the purpose of ascertaining whether the law, as it now stood, was sufficient. Was it anything less than paradoxical that, if the existing laws were sufficient, they should, at the same time, have a state of things unparalleled in any country in the world that boasted of civilization? The present situation of Ireland was a disgrace either to the laws, or to the Government. The Motion did not pledge them to any specific measure, but they were not precluded from inquiring whether some other means might not be adopted for enforcing the law. The Attorney General for Ireland gave recently a short and correct summary of the actual state of the country. There was, he said, no security for life or property. The peaceable part of the inhabitants were groaning under an uncontrollable and uncontrolled power. Could they refuse to endeavour to find some remedy for such a state of things? He was not disposed to question the sufficiency of the Common Law, if applied promptly and perseveringly. If, however, it was sufficient, why had the country for eighteen months been left in so deplorable a state? During the first six months of these eighteen, not less than 600 or 700 crimes were committed; in the next six months, 800; in the succeeding five months, 500 crimes; and in the last month, 200. How came it that Special Commissions were not had recourse to during that period, and the efficiency of the laws ascertained? This inquiry would demonstrate either the inefficiency of the law, or the delinquency of those who did not apply it. The Amendment would lead to interminable inquiry.

Sir *Henry Parnell* said, he saw no reason to oppose the Amendment.

The Motion amended, and agreed to.

Committee appointed.

HOUSE OF LORDS,

Friday, June 1, 1832.

MINUTES.] Papers ordered. On the Motion of the Earl of RODEN, Copies of all Memorials or Petitions presented to the Lord Lieutenant, or the Chancellor of Ireland, or the Twelve Judges in Ireland, from the year 1829 to the present time, relating to the holding the Assizes for the King's County in Ireland, at Tullamore, instead of Philipstown, &c.

Petitions presented. By the Bishop of CHESTER, from Camberwell, for Amending the Laws relative to keeping the Sabbath holy.—By the Duke of HAMILTON, from Greenock, for Relief to the West-India Interest.—By the Earl of STAMFORD, from Chester, for a Repeal of the Beer Act.—By the Bishop of LONDON, from Bury St. Edmund's, for a Revision of the Criminal Code.

TITHES (IRELAND).] Lord *King* presented a petition, against Tithes from the parish of Ballymore in Westmeath, and the parish of Myross, in the county of Cork. These petitions came from a land of contrarieties, for no sooner was it solemnly affirmed here that tithes existed *de jure*, than they declared there they should not exist *de facto*. No sooner did we resolve here that tithes should be paid, than it was determined there that they should not be paid; and although they had now no battles of Skibbereen, they had the exhibition of artillery and infantry escorting a cow to auction, and fairly to sell her. This afforded another proof of what had been proved over and over again, that neither tithes nor taxes could be levied by an army, and that they could never expect to have peace in Ireland till proper provision was made for the Catholic clergy—Petition laid upon the Table.

MINISTERIAL PLAN OF EDUCATION (IRELAND).] The Bishop of *Lichfield* presented eleven Petitions from places in Staffordshire and Derbyshire, against the Ministerial plan of Education for Ireland. He did ample justice to the motives of those who proposed this plan, he imputed to them no design to favour the Catholics, but to the plan itself he strongly objected, as calculated to preclude the poor from the free use of their Bible. He conceived that the scheme would supply a very defective Christianity, and that he could not sacrifice to any consideration. In concurrence, therefore, with the petitioners, he implored their Lordships to withhold their sanction from this plan.

The Marquess of *Clanricarde* complained of the misrepresentation of the right reverend Prelate regarding the nature and objects of the new education plan. There was no withdrawal of the Scriptures. If they were to have a system of national education at all, the Government plan was the only one which could be successfully adopted.

The Earl of *Roden* said, that the Roman Catholics were most anxious to attend the Kildare-street Society Schools; the priests only were opposed to the Bible. The new system was wholly inapplicable to Ireland, and was unworthy of the adoption of a Christian country. The noble Lord then presented a petition from the city and county of Norwich, from the Presbytery of Newcastle-upon-Tyne, signed by 2,758 persons; and also from the town of Dumfries, relative to the impolicy, injustice, and pernicious tendency of the new system of Irish education. It was alike inconsistent wih Protestantism, and detrimental to the interest of the people of Ireland. The projected system could only strengthen Popery, which political expediency could not justify. He recommended the withdrawal of all public grants.

Petitions to lie on the Table.

DUTIES OF YEOMANRY.] The Earl of *Wicklow* presented a Petition from the Magistrates of the county of Wexford, complaining of the dismissal of Captain Graham from the Commission of the Peace, and praying the House to adopt such measures as it might see fit, to procure his restoration. He wished to avail himself of that opportunity of putting a question to the noble Lord opposite, the Secretary for the Home Department, respecting the conduct of the Yeomanry and Magistrates on such occasions. He wished to know whether the Yeomanry would be held by the Government to act justifiably in obeying the orders of the Magistrates, when called upon to preserve the public peace?

Lord *Grantham* said, he did not want to create a discussion on this particular case; but, in consequence of the opinion expressed with regard to it on a late Debate, by some member of his Majesty's Government, having had considerable influence on several of the Yeomanry of England, he was anxious to obtain from the Secretary of State for the Home Department, a candid explanation of the view taken by his Majesty's Government of the employment of that force. The Yeomanry had hitherto considered that they were compelled to act when called on by a Magistrate to do so; but, as it would appear now that, where lives were unfortunately lost, they were to be made responsible for obedience to the Magistrates' orders, they were desirous of ascertaining to what extent the doctrine was carried by the Administration of the country.

The Duke of *Buckingham* said, that it was quite clear that not only had the Secretary of State for the Home Department the power to call out the military, but every Magistrate had the right, and the Yeomanry could not refuse obedience.

Viscount *Melbourne* observed, it was not necessary to discuss now the case of Captain Graham, it having so lately engaged the attention of the House. He would only say, that nothing had occurred since to change the determination of the Irish Government with regard to that gentleman. With respect to the question put to him by the noble Earl, he doubted if it was prudent to discuss that point at present. It was not for him or any Member of his Majesty's Government to declare what the law of the country was. That was to depend on the decision of the Judges, and he presumed that each case was to be determined by the evidence connected with it. He was not aware that any change had taken place in the law, but still it was not for him to interfere with the Courts, and to decide upon it without authority.

The Earl of *Harewood* said, the decision of the Irish Government with regard to Captain Graham had made a great impression on the Yeomanry of England, and though they found the law, and the practice of the law, open before them, still they were involved, in consequence of that case, in the greatest doubt, as to the extent of their duty and liability; he, therefore, thought the Government were called on distinctly to state what their construction of the law was, and not to leave a subject of so much importance liable to misconstruction. He was not satisfied with the explanation given by the noble Viscount. Was he not in a condition to state what was the law? If the noble Viscount were not acquainted with the law, then he was inclined to consider that the noble Viscount was not fitted for the high office which he held.

Viscount *Melbourne* said, he had always considered there could be no doubt whatever upon the subject.

Several noble Lords called upon the noble Viscount to state the law.

Viscount *Melbourne*—The law of what?

The Duke of *Buckingham* having taken part in the discussion, wished to have this question answered by the noble Viscount—viz., whether the Yeomanry were or were not justified in acting when called upon by a Magistrate, and desired by him to act?

Viscount *Melbourne*—I shall say, in that case, that they certainly are.

The Marquess of *Camden* said, it would be an extremely unpleasant situation for the Yeomen of the country to be placed in, if any doubt whatever existed as to the legality of their acting when called upon by a Magistrate.

The Duke of *Richmond* observed that he had always understood—and he believed no doubt existed upon the subject—the Yeomanry were bound to obey the Magistrates, as well as any other individual, to preserve the public peace. But if the Magistrate called out the Yeomanry to do that which was an illegal act, then the Government had an undoubted right to remove such a Magistrate from the Commission of the Peace, in the same way that Captain Graham had been removed.

The *Lord Chancellor* did not intend to go into any abstract question of the law as to the duties of Magistrates, or the duties of Yeomanry, or whether the Magistrates might call that force out, but he rose to protest against this most unheard-of course now pursued. It was indeed a most singular mode of proceeding. One noble Lord after another had thought fit to get up and put abstract questions as to the law of the country to his noble friend who was responsible, as Secretary of State, to his country and to his Sovereign, and from his situation was rendered liable to impeachment for his acts if he were to act wrong, but which office did not make him answerable and responsible to give an opinion upon abstract questions of law, which noble Lords in that House chose to put, and who, as legislators, ought to have known, that they were asking that which ought not to be asked of a person holding that situation. If any doubt existed upon a point of law, there were two ways of having it removed—either by the declaration of an Act of Parliament, or an application to the Judges. He would ask, what pretence there was for that novel practice, now for the first time introduced within that House, of calling upon a Minister of the Executive Government—only because he was a Minister of that Executive Government; and he would here ask why a Minister so circumstanced was to be called upon more than any other Peer of Parliament to state what the law of the country was in the abstract upon a given subject? Let a case arise in which his noble friend had been a party to the dismissal of a Magistrate, and then his noble friend might fairly be called upon to defend his conduct, but he was not called upon to answer the abstract question which had been put to him. Although he (the Lord Chancellor) entertained no doubt upon the subject, and although he concurred in what his noble friend had asserted, yet he must be permitted to protest against the irregularity of the proceeding, and he wished that his noble friend had not answered the question which had been put to him.

The Earl of *Wicklow* begged to assure their Lordships that if he had thought this discussion would have arisen out of the few words which he had spoken on the presentation of the petition, he would certainly, have given the noble Secretary notice of his intention. But still, as the noble Lord Lieutenant of Ireland had stated his views as to the law with reference to this subject, and these had been contradicted by the noble and learned Earl (the Earl of Eldon), who might be regarded as the highest legal authority, he had thought it of very great importance that the Government should state explicitly what the law was as to the authority of the Magistrates, and the duty of the Yeomanry. Doubts had arisen, and darkness had been spread as to this question over the United Kingdom. The exertions of the Magistrates in the most disturbed parts of Ireland had been paralysed, and neither they nor the Yeomanry felt completely satisfied as to the extent of their authority and duty. They were afraid to act; the Yeomanry power was in the hands of the mob; confusion seemed to be at hand, and circumstances appeared to threaten a rebellion similar to that which had taken place in 1798. He was glad that the question had been put and answered. As to Captain Graham, he had been ill used.

The Earl of *Harewood* said, notwithstanding the lecture which had been read to them by the noble and learned Lord on the Woolsack, he did not repent of the course which he had taken on the present occasion; and, even at the risk of being again reprimanded by the noble and learned Lord, he would ask, whether the reasons given by the noble Lord Lieutenant for Ireland were approved of and sanctioned by the Government?

The *Lord Chancellor* would again ask their Lordships, whether anything could be more irregular and disorderly than to ask such a question, in this House or out of it. The question was, whether they sanctioned some reasons which had been given by a noble Peer about six weeks ago, without stating what those reasons were, and that, too, when the noble Peer in question was not present? Let the noble Earl state what the noble Marquess did say; let him state the reasons and all the circumstances to which these reasons referred. He hoped, as the noble Secretary had said, that there was no doubt, whatever about the law. But since a noble and learned Earl (Eldon) had been referred to, he would recommend that all further discussion on this point should be deferred till that noble Earl should be in his place.

The Earl of *Roden* said, the noble Marquess at the head of the Irish Administration had stated two reasons; first, that Captain Graham had no property in the place where he was acting on the occasion alluded to; and secondly, that his calling out the Yeomanry at the time of the affair at Newtownbarry was illegal. That was the statement; but he was glad to hear it distinctly stated by the noble Secretary, that there was no doubt as to the power of the Magistrates to call out the Yeomanry, and no doubt as to the duty of the Yeomanry to obey. But then, that being so, no man could be more unjustly dealt with and persecuted than Captain Graham had been, who had only acted as he was bound by law to act, and had been the means of preventing much bloodshed. The only reason, he believed, for the dismissal of Captain Graham was, that he was favourably disposed towards the Protestant interests.

The Marquess of *Clanricarde* must say, in favour of the noble Marquess (the Lord Lieutenant of Ireland), who was not here to speak for himself, that he did not admit the correctness of the version given by the noble Earl of the reasons of the noble Marquess. The noble Marquess had stated other reasons, and it was not fair to fish out particular parts of a speech, even although they might be correctly stated, and then reason upon them without regard to other parts of the same speech. The whole must be taken together. But he did not mean, at this distance of time, to enter into any discussion on the subject. As to Captain Graham, he believed that he was a worthy man, but he doubted his qualifications for the magistracy, and therefore hoped that he would not be restored. But suppose his dismissal was wrong, that very dismissal showed that the Yeomanry had not been to blame in obeying the Magistrates.

The Marquess of *Londonderry* was glad that the question had been put and answered; and he was only sorry that the noble and learned Lord on the Woolsack had thought proper to interpose, as he appeared to throw some doubt upon that which was otherwise clear. He rather believed that the noble and learned Lord had never been a Yeoman. It was fitting that the Yeomanry should know, that when they acted in aid of the police they were properly serving their King and country, and that this should be their consolation in case matters should come to bloodshed. Why, then, should any doubt on the subject be thrown out? But the question had now been set at rest by the answer of the noble Secretary, and he was glad that this discussion had taken place.

Petition to lie on the Table.

St. Mawes Election—Influence of Peers.] The Duke of *Richmond*, had on a former occasion presented a petition from certain electors of St. Mawes, who complained of having been forcibly ejected from their houses, because they voted against the nominees of the noble Duke opposite (the Duke of Buckingham). On that occasion the noble Duke declared that he was incapable of countenancing such acts of oppression, and he (the Duke of Richmond) gave full credit to that assertion. He, however, now held in his hand a petition from the same parties, in which they stated the circumstances under which they had been turned out of their houses by the agents of the noble Duke; and they had sent to him a notice, from which it appeared, that they had been so ejected from their tenements, "by virtue of a power of attorney, granted by the most noble the Duke of Buckingham and Chandos." The only remark he should make upon this case was, that as Peers possessing nomination boroughs dared not openly interfere in elections, they were obliged to act through the means of agents; and he was afraid that those agents were too often guilty of such acts of oppression as those of which the petitioners complained.

COLONIAL SLAVERY.] Earl Grey presented five Petitions from the Cities of Hereford, Edinburgh, and other places, praying for the abolition of Colonial Slavery.

The Duke of *Buckingham* wished to remark, that few persons could wish that colonial slavery should be perpetual, or that it should very long continue to exist. But, at the same time, the Government ought to consider that great and vital interests were to be attended to, and he implored the Ministers to take the consideration of the state of the West Indies on themselves, and act on their own responsibility, and settle the matter without reference to Committees. His own object was, that the system of slavery should be brought to a conclusion as soon as that could be done consistently with a due regard to the protection of the West-India interests. But the merchants and planters ought no longer to be kept in suspense, and the Government ought to explain to them clearly what their situation really was, and take the settlement of the question on itself, and put an end to the agitations on the subject.

Lord *Suffield* had nothing to say to what had fallen from the noble Duke, but he gave notice, that when arguments were advanced, and observations made on occasion of presenting petitions on this subject, he should think himself bound to answer them as well as he could, if they should appear to him to require an answer.

Viscount *Goderich* had felt great difficulties in his mind in reference to this subject ever since he remembered to have heard it first suggested; but when the noble Duke called upon the Government to take the matter into its own hands, and act on its own responsibility, in order to put an end to the agitation of the question out of doors, the noble Duke might have done the Government the justice to recollect that it had acted on its own responsibility. In 1820, the Government of that period had called upon Parliament for its opinion and for its sanction to certain principles to be acted on, in order to prepare the slaves for the ultimate condition of freedom, and a resolution to that effect was passed in the House of Commons, and subsequently in that House. So far the Government had taken the opinion of Parliament on the proper principles of action, and on these principles successive Governments had acted; and it was in pursuance of these resolutions, and in execution of these principles, that the present Government had acted, and it had acted to a certain extent on its own responsibility. The conduct of Ministers might be right, or it might be wrong; but they had been disposed to act on their own responsibility throughout, and had no desire for the appointment of these Committees. But still, when they found that many persons deeply interested in West-India property, were anxious to have Committees, they thought it their duty to give way. They had endeavoured to explain to those persons that they would derive no advantage from the appointment of Committees; but as those persons persisted in their desire to have Committees appointed, the Government had given way to them, although it was contrary to its own views of what was most proper to be done. But as these Committees were appointed, he hoped they would keep in view, that in the circumstances in which the West Indies were placed, all their recommendations ought to contemplate the ultimate abolition of slavery, because it would be quite impossible to maintain it.

Petition to lie on the Table.

PARLIAMENTARY REFORM—BILL FOR ENGLAND—REPORT.] The Marquess of *Lansdown*, on moving that the Report on the Reform of Parliament (England) Bill be brought up stated, that by some accident a Petition, which had been agreed to by the Inhabitants of Calne, had not reached him, or he should now have presented it. The object of that petition was, to show the reasons on which, as the inhabitants of that town conceived, they were entitled to two Representatives. One of these reasons was, that the assessment of property in 1818 amounted to 26,000*l*., and had been since increasing. They stated, that there would be more electors in Calne than in Chippenham or Marlborough.

He felt assured, that if they could lay the whole of their statement before the House, their Lordships would be convinced that the borough of Calne was fully entitled to retain its right to Representation. He, however, conceived, though it was due to the petitioners, that he should bring their claim before their Lordships, that, acting upon the principles of the Bill, it would not be possible to give Calne more than one member, and that no injustice was done to the petitioners. He moved that the Report be received.

On the question, "that the Report be read,"

The Earl of *Carnarvon* said, he would take advantage of that last opportunity to reiterate his emphatic disapprobation of the present most pernicious, most revolutionary measure—a measure which was carried through that House by means the most unconstitutional—not through reasoning and fair argument, but by means of a course of proceeding which overthrew the independence of that House, as the only alternative by which the independence of the Crown could be temporarily saved from destruction. He would not, under the present deplorable state of their Lordships' benches, mock what remained of their dignity by dividing the House against the Motion; though he and the supporters of the Bill well knew, if the unbiassed and independent voices of the large majority of its Members could be heard against it, the Bill would long since have been scouted from their Table. How did the noble Earl obtain his temporary and most fatal triumph? Solely because a large majority of the most high-minded and independent of their Lordships preferred staying away altogether, rather than, by their opposition, place his Majesty in a situation which no true lover of his country could consider without dismay. This was the whole secret of the noble Earl's little majorities, and it was right that the country should know it. With this record of his emphatic disapproval of the Bill, he would take leave of it for ever. He would in no way lend himself to the third act of the farce by which their dignity and independence had been, during the last fortnight, disgraced; and he trusted that no noble Lord would be seen in the House on the day of the third reading, save the authors and supporters of a measure which must overthrow all our institutions.

The Earl of *Suffolk* could not but admire the voluble self-complacency with which the noble Earl pronounced a measure which had received the unanimous and consistent support of the middle classes of the people of England, including almost all that reflected a moral and intellectual lustre on the British name a farce. Was it a farce which for the first time admitted the people of England to what they were constitutionally entitled—namely, a choice in the election of those who had the making of the laws to which they were bound to yield obedience, and which controlled their lives and property? And was it a farce which made the House of Commons what it ought to be—not the nominees of some ninety borough-proprietors, but the virtual Representatives of the wants, intelligence, and interests of the people? The noble Earl was in error as to the Bill's having been advanced to its present stage without any show of reasoning on the part of its supporters; for unless his ears very much deceived him, noble Lords opposed to the Bill admitted that the case made out in favour of the metropolitan clause was irrefragable and practically convincing. The noble Lords opposite had conceded that the case of the metropolitan districts was fully made out, and the only alarm they felt was prospective as to the influence those districts would in future possess over the two Houses of Parliament. The 10*l.* clause, too, was conceded in like manner not to be too low a qualification, and that if it were higher, the people would not be represented. These were two of the most important details of the Bill, neither of which had been admitted through secession alone.

The Earl of *Carnarvon* repeated, that but for the secession of a large number of noble Lords, those and other clauses would have been rejected by considerable majorities. The noble Earl complained of his designating the measure with reference to its progress through that House, a farce. All he (the Earl of Carnarvon) could say in answer was, that he trusted that he was correct in his designation, and that the farce might not prove in the end to be a woeful tragedy.

Motion agreed to.

Several verbal Amendments were made, and among them one proposed by the Lord Chancellor, that the word "Great," in one of the schedules, should precede instead of follow the word "Bedwin." As it now stood, the schedule ran thus—"Bedwin (Great), Yarmouth." In print that was intelligible enough, but in writing out the Bill, as commas and parentheses were never used, the words might be misapplied, and "Great" might be affixed to "Yarmouth," which would disfranchise Great Yarmouth, though it was by no means their Lordships' intention so to do.

On the question, "that Hedon stand part of schedule A,"

The Marquess of *Salisbury* moved, that Hedon be taken out of schedule A, and the franchise be extended to the neighbouring Hundred of Holderness.

Lord *Durham* could hardly believe that the noble Marquess seriously intended what he now proposed. Hedon was an insignificant place, and if the proposition were adopted it would have the effect of giving a Member to Holderness, which had none of the required qualifications for such a privilege.

Motion negatived.

Lord *Ellenborough*, for the sake of having his objection recorded on the Journals, objected to Appleby being inserted in schedule A. He proposed to remove it out of that schedule.

Motion negatived.

Lord *Ellenborough* said, "that Appleby having been inserted in schedule A, Westbury and Midhurst ought both to be introduced into the schedule. He moved, that they be so inserted.

Amendment negatived.

The Marquess of *Salisbury* moved the following Amendment—"That from and after the commencement of this Act, all persons possessing the right of voting for Members to serve in Parliament for such boroughs as are disfranchised and included in schedule A, shall continue to enjoy that right, whether the same shall arise from the *bona fide* possession or occupation of any freehold, leasehold, or other description of property whatsoever, situate within the limits of the said borough, and such right shall for ever continue and remain attached to such property." "That all persons possessing such right to vote shall exercise the same in the election of a Member or Members to serve in Parliament for such town or borough as shall be nearest to such disfranchised borough wherein the right of voting of such persons arises, and where no such town or borough shall exist within seven miles of such disfranchised borough, as aforesaid, that then and in such case the preserved right of voting shall be exercised for the county in which the said disfranchised borough is situated."

The Marquess of Bute supported the Motion.

The Duke of *Richmond* opposed the Motion, on the ground that, after disfranchising the 40*s.* freeholders of Ireland, who were independent, the House could not refuse to disfranchise voters who were dependent.

Motion negatived.

Lord *Ellenborough* moved that Frome, Huddersfield, Kidderminster, Tynemouth, and South Shields conjoined, Warrington and Whitehaven, should be inserted in the schedule D, after Stroud.—Negatived.

Lord *Wharncliffe* moved, that Chatham be struck out of the schedule, as it would be better to unite it with Rochester. He maintained that Chatham would, under the Bill, be a nomination borough in the hands of the Government.

The Earl of *Haddington* objected to the Motion, because he had no apprehension that the respectable constituency of Chatham would suffer that place to be converted into a nomination borough.

The *Lord Chancellor* denied that Chatham would be under the influence of the present or any succeeding Government; and in proof of this statement referred to the number of 20*l.* houses in the town, which equalled or exceeded the 10*l.* houses, and must be presumed to be occupied by independent persons, even supposing the 10*l.* tenements should turn out to be in the possession of workmen in the Government Dock-yards, which was very far from being the fact.

Lord *Durham* said, that Chatham would not be a Government borough under the Bill.

Motion Negatived.

On the question that schedule E stand part of the Bill,

The Earl of *Haddington* said, that in the absence of a noble friend, who was prevented by illness from being in his place, he should move a clause which would supersede the necessity of naming in the schedules to the Bill the returning officers for the various newly-created boroughs enumerated therein. The clause he should propose would appoint a municipal body, to consist of a Mayor, six Aldermen, and a Common Council, for each of those towns enfranchised by this Bill, for its purposes, reserving to his Majesty the right of varying or extending their powers by any Charter he thought fit to grant. The noble Earl concluded by moving the insertion of a clause to that effect.

The *Lord Chancellor* objected to the insertion, in the present stage of the proceeding of the Bill, of any clause which had not been submitted to the scrutiny of the Committee, particularly a clause of such an important nature as that proposed. The powers conferred by the Bill were for a specific and certain purpose, and the proposition of the noble Earl (which went the length of creating municipal corporations) would interfere, if carried into effect, with other rights and jurisdictions which prevailed throughout the country generally.

Motion negatived, and schedule E agreed to.—The remaining clauses agreed to.—Report received.

VACATION OF SEATS.] The Marquess of *Northampton* said, that he probably would on Monday move, that a clause be added to the Bill, the object of which would be, to prevent the necessity of Members of the House of Commons vacating their seats on being appointed to high offices in the State.

Lord *Ellenborough* said, that the noble Marquess had better give a decided notice on the subject, because it might materially influence the conduct of noble Lords, as to being present on the third reading, for otherwise it was probable that, under existing circumstances, many would not come down to the House. The clause, at all events, must be proposed after the third reading of the Bill.

Earl *Grey* said, that the object which the noble Marquess had in view was very important, and entitled to serious consideration. The inclination of his opinion was certainly favourable to the proposition of the noble Marquess. He thought that great inconveniences attended the practice of Members vacating their seats on being appointed to offices in the Government. If any advantage whatever resulted from this practice, it was more than counterbalanced by the disadvantages. At the same time, he would suggest to the noble Marquess, to consider whether he might not better effect his object by the introduction of a separate Bill than by tacking a clause to the Reform Bill.

Lord *Ellenborough* agreed with the noble Earl, that it would be more convenient for the noble Marquess to introduce a bill in order to effect the object which he had in view. He could not help observing, that this was the first proof which had yet been presented to their Lordships of the great practical change which would be introduced by the Bill at present before the House. The law which it was now proposed to repeal had existed, without material inconvenience, since the time of Queen Anne. It had been considered a great security for the good conduct of the Representatives of the people. He recollected repeated instances of persons, who had been selected to fill high offices in the state, commencing their addresses to the electors by stating, that there was no part of the Constitution more valuable than that law which sent a Member to his constituents in order that they might judge of his conduct in taking office.

The Marquess of *Northampton* said, that in consequence of the suggestion of the noble Earl and the noble Baron, he would bring in a separate bill on the subject.

PROTEST]. The Earl of Carnarvon entered the following Protest against receiving the Report:—

"Dissentient:

"1. Because this Bill will effect a change in the constitution of Parliaments to an extent uncalled for, and full of danger, incapable of producing much practical good, but likely to prove, in its operation, subversive of the ancient and settled institutions of the country.

"2. Because, by an uniform and low rate of qualification in the towns, the greatest share of power will be given to the smallest portion of property, which will tend to make every description of property, whether mercantile, colonial, real, or personal, equally insecure.

"3. Because it is in its character not remedial, but revolutionary, in practice equally injurious to the poor and to the rich; depriving the Government of the strength which it requires, and property of its due influence, endangering as well the stability of the Throne as of every civil and religious establishment under which, in this country, commerce, prosperity, and freedom, have attained an elevation envied, but as yet unrivalled, by all the nations of Europe. (Signed)

"CARNARVON

The following Peers subsequently attached their signatures to the Protest.

Ernest
Kenyon
Buckingham and Chandos
Redesdale
Penshurst
Abingdon
Grantley
Doncaster
Winchilsea and Nottingham
Gage
Jersey
Selkirk
Rutland
Orford
Northumberland
Beverley
Brooke and Warwick

HOUSE OF COMMONS,

Friday, June 1, 1832.

Minutes.] Papers ordered. On the Motion of Mr. O'Connell, Accounts relative to the Manufacture and Exportation of Soap; and of the quantity of Palm Oil imported for the last fifteen years.—On the Motion of Mr. Spring Rice, Copy of a Letter from the Secretary of the Ordnance, dated 21st May, 1832, respecting the Expenditure upon the Works of the Rideau Canal, Canada.

Bills. Read a third time:—Regent's Park Acts Amendment; Exchequer Court (Scotland); British Museum; Vice Admiralty Courts, and Punishment of Death Abolition.

Petitions presented. By Colonel Evans, from Rye;—by Mr. Charles Calvert, from Southwark;—by Mr. John Smith, from Newport Pagnell;—by Lord Althorp, from Glasgow;—by Mr. Spring Rice, from Lyme Regis, Beominster, and Shaftesbury;—by Mr. Hodges, from Hawkhurst;—by the Lord Advocate, from a Parish in Edinburgh;—by Admiral Adam, from Elgin; and by Mr. James, from Carlisle,—for Stopping the Supplies.—By Mr. James Johnstone, from Forfar,—against the Ministerial Plan of Education (Ireland). By the Lord Advocate, from Forfar, to substitute the Chief Magistrates of Burghs for the Sheriffs as Returning Officers, and the Burgh Clerks for the Sheriffs Clerks for receiving the Claims of Voters.—By Sir George Clerk, from Kincardine, for Compensation for the Great Loss of Property to Individuals occasioned by the Reform Bill; and from Elgin, against the Union of that County with Nairn in the Exercise of the Elective Franchise.—By Mr. O'Connell, from the Members of the National Union of the Working Classes,—against the Privileges of Parliament Bill; from three Parishes in Cork and Cavan,—against Tithes and Church Assessment.

Reform — Withholding the Supplies.] Mr. *O'Connell* presented a Petition from Colonel Talbot, as Chairman of a meeting of 60,000 persons assembled in the city of Dublin, praying that the House would not intrust any part of the public money to any Ministry which should not be pledged to carry the Reform Bill. The meeting was held on one of the ten days during which the country was threatened with the affliction of an Anti-reform Ministry. He was happy that the occasion for the petition had passed away; but he took that opportunity of presenting it, in order to show what was the feeling of the citizens of Dublin on the subject of the Reform Bill.

Sir *Robert Inglis* had been informed. that the meeting at which the petition had been agreed to, was not by any means so numerous as the hon. and learned member for Kerry represented it to have been. He doubted that there was any place in Dublin where 60,000 persons could meet to deliberate conveniently.

Mr. *O'Connell* had not said, that the 60,000 persons who agreed to the petition had assembled to deliberate; he believed they had made up their minds before-hand.

Mr. *Shaw* had been assured that there were no more than 1,000 persons present at the meeting, and that these were, for the most part, ragged boys and old women. The citizens of Dublin were misrepresented when it was said that they were zealous in favour of the Reform Bill. He knew the very contrary feeling to prevail amongst the respectable citizens.

Mr. *Henry Grattan* said, that he was present at the meeting, and that the numbers were not exaggerated at 60,000.

Mr. *O'Connell* repeated the names of several of the most respectable citizens of Dublin who attended the meeting. He would not deny that the beggarly and bigotted members of the Corporation were, as their Representative, the Recorder (Mr. Shaw) had stated, the enemies of Reform and of their fellow-citizens. But did the Recorder venture to say that the corporators were the "respectable citizens" of Dublin; whereas, three-fourths of the Common Council had once or twice, and some of them as often as three times, "taken the benefit of the Insolvent Debtors' Act?" Did not the Recorder know that many of them had nothing else to live upon, but the police-rates, and other rates, levied upon their fellow-citizens?

Mr. *Shaw* only rose to reprobate the application by the hon. and learned Member of such epithets to a Corporation, of which such men as Mr. Saurin, Mr. Lefroy, and others, the most eminent at the Irish bar, were members.

Petition to be printed.

Corporations of Londonderry and Dublin.] Mr. *O'Connell* presented a petition from certain inhabitants of the city of Londonderry, complaining that the Corporation had taxed the citizens by a toll upon the new bridge, to pay to the Crown a debt, which ought to be paid out of the property of the Corporation itself. He wished to ask the noble Lord whether it was the intention of his Majesty's Government to allow the 15,000*l.* due by the Corporation of Derry to be thrown on the country by making it payable out of the tolls of the new bridge, instead of taking it from the corporate body? He believed the Corporation borrowed 30,000*l.* for rebuilding this bridge, and they had repaid 15,000*l.*. They had got rid of the burthen which they ought to pay by throwing it on the public.

Lord *Althorp* said, that he was not, at that moment, prepared to explain precisely the nature of the engagement into which the Corporation had entered for the repayment of the money advanced by the Crown. If the hon. and learned Gentleman, the member for Kerry, would bring forward the subject on some other evening, he should be better able to give a satisfactory explanation. At present, he could only say that his Majesty's present Ministers, on coming into office, found that the Corporation had undertaken to repay the money by instalments, and that some of those instalments had become due, and had not been paid. A long time had elapsed without any demand being made upon them, and they might have had reason to suppose that repayment would not be demanded. However, on looking into the account at the Treasury, the Government felt it to be their duty to require payment; but, at the same time, under the circumstances, they did not wish to press hard on the corporation. Application, however, had been made to the Corporation, which had since set aside the tolls of the bridge for the payment of the money advanced by the Crown, for the building of the bridge.

Sir *John Newport* said, that the case was simply this: the Corporation was bound to pay the money out of its own estate, and had no right to tax the citizens to pay its debts.

Lord *Althorp* said, that the security was the same as before. He believed he was correct in saying that originally the tolls were contemplated as part of the security for the repayment of the loan.

Mr. *Dawson* said, that Government was justified in the course it pursued, for the Corporation was perfectly solvent. Besides, the loan was not with a view to benefit the Corporation, but to serve the public generally. In the year 1814, the bridge over the river was carried away by the ice, and the loan was made for the purpose of rebuilding it. Of course the bridge tolls ought to be liable for its repayment, rather than the funds of the Corporation.

Mr. *Hume* understood that the Corporation had made away with the funds which ought to have been applied to reimburse the public for the money advanced to build the bridge. If the Corporation was solvent, he trusted the Government would enforce the payment of interest upon the instalments which had not been paid within the stipulated time. He trusted that his Majesty's Ministers would not act towards that Corporation with the favouritism which it and other similar bodies had received from the late Government.

Mr. *Dawson* said, that the late Government had not favoured the Corporation of Londonderry. They were called on to pay the instalments as they became due.

Mr. *Hume:* What was it to call, if they would not come, and were not made to come?

Lord *Althorp* repeated, that he should be better prepared on another evening to give a full explanation of the matter.

Mr. *Henry Grattan* trusted, that the Government would also compel the Corporation of Dublin to refund the sum of 76,000*l.*, which that body owed to the city of Dublin. Judgment had been given against the Corporation, but no part of the money had yet been repaid. He had spoken to the Irish Solicitor General upon the subject, but that Gentleman paid no attention to his application.

Mr. *Stanley* said, there was no occasion for the interference of the Crown lawyers, when judicial proceedings had taken place, and a decree had been pronounced.

Mr. *Shaw* said, that the Corporation did not owe the citizens of Dublin one farthing.

Mr. *Grattan* said, that the Commissioners of Imprest Accounts had given it under their hands, that the Corporation had raised and expended contrary to law 76,000*l.*, the property of the citizens.

Mr. *O'Connell* said, that it was mere juggling to deny that the money was due to the Crown, and not to the citizens, whose money the Corporation had illegally raised and expended.

Mr. *Shaw* said, that the Corporation

owed not a shilling, either to the Crown or to the citizens. The sum of which hon. Gentlemen had said so much, was a debt owing by the Corporation to its own creditors, and secured upon its own estates.

Mr. *O'Connell* said, it might be very well for the insolvent Corporation and its lawyers to juggle and shuffle, so as to shift the debt from one creditor to another. They owed the money, to be sure—they did not deny that; but they were lucky debtors; for they owed it to nobody, and so to nobody they paid it. But the fact was, that the Master of the Rolls, one of the best Judges in Ireland, or, perhaps, in any other country, had given a decree against them, from which they had appealed. It was not denied that they had levied 76,000*l.* from the people of Dublin, contrary to the Act of Parliament.

Petition to be printed.

Reform—Glasgow and Edinburgh Petitions.] Lord *Althorp* presented a Petition, signed by about 50,000 persons, who had formed part of a meeting of (as he was informed) nearly 180,000 inhabitants of Glasgow and its vicinity, praying that the House would adopt all constitutional means of forwarding the Reform Bill, and refuse supplies to the Crown until it was passed. The last sentence of the petition, which referred to " the intrigues of a faction" to defeat the measure, he must admit was strongly worded, but he apprehended that the terms were not such as would induce the House to pause before it received the petition.

Sir *Henry Hardinge* said, that his objection to the paragraph was, not that it was strongly worded, but that it asserted what was false.

Mr. *Robert A. Dundas* was anxious to take that opportunity of setting himself right in regard to what he had said on a former day, when the petition from Edinburgh was laid upon the Table. A gallant Officer, a relation of his own, had been present at the meeting where the petition was agreed to, and speaking from the information he (Mr. Dundas) had received, he had stated, that at the meeting flags and emblems were displayed, one of which represented the King without his head, and another had for inscription, " Put not your trust in Princes." These were arranged round the hustings; but he was now quite willing to retract any aspersion he had cast upon the gallant Officer; still maintaining it, however, as his opinion, that it was not becoming in any man holding the King's commission to be present at a meeting where such flags and emblems were exhibited. It was true, the gallant Officer might have gone there, in the first instance, with a view to preserve the public peace; and he deeply regretted that any construction should have been put upon what he (Mr. Dundas) had said, which in any degree reflected upon the honour and integrity of the gallant Officer.

Mr. *Gillon* asked if the hon. Member meant to lay it down as an axiom, that it was unbecoming in any man who held the King's commission to express his political opinions?

Mr. *Robert A. Dundas* added, that what he had said was, that it was unbecoming in any man who had received such favours from his Sovereign to be present at a meeting where such emblems were exhibited.

Mr. *Gillon* observed, that he had received a communication from Edinburgh, enabling him to contradict what the hon. Member had stated on a former day with regard to one of the emblems. The feeling in favour of Reform throughout Scotland was highly commendable.

Mr. *James E. Gordon* remarked, that the hon. Member had omitted to state which of the two emblems noticed had not, in fact, been displayed. He would assert that the speeches delivered at the meetings in Scotland were disgraceful to the individuals and to the country.

Sir *John Byng* remarked, that the Officer to whom the hon. Member had alluded had served in the same regiment with him (Sir J. Byng), and four days before the meeting at Edinburgh, he had received a letter from him, containing sentiments highly commendable, showing, that whatever he might think of Reform, he knew his duty to his country to be paramount to every other consideration. The object of the meeting was, to obtain the end proposed by proper and constitutional means, and he was sure that the gallant officer would not have remained an instant on the spot had he seen any flag of the infamous description of that alluded to. Either the flag was withdrawn, or the gallant Officer would have withdrawn himself. The explanation of the hon. member for Edinburgh was perfectly gentlemanlike and satisfactory.

The *Lord Advocate* was sure that the gallant Officer had not seen the objectionable emblem. The retraction and disclamation of the hon. Member was highly to his credit, as he had spoken from erroneous information. The exhibition of any such emblem was denied by the Chairman of the meeting, and by the Committee.

Mr. *Kennedy* maintained, that the gallant officer was not only justified in attending, but he was bound to attend.

Mr. *Hume* felt called upon to give a direct denial to the assertion of the hon. member for Dundalk (Mr. James E. Gordon) that the meetings at Edinburgh and in other parts of Scotland, were disgraceful. He considered that they did the highest honour to the country. The proceedings had been without disturbance, and the sentiments uttered had been expressed in a constitutional manner. It was very possible that some of the friends of the hon. member for Dundalk had exhibited the emblem in order to disgrace the meeting,

Sir *George Murray* observed, that the gallant Officer alluded to was, of course, quite at liberty to attend the meeting. His conduct would only have been objectionable if the emblems mentioned had been displayed.

Mr. *Kennedy* was glad to hear the right hon. and gallant Member express such an opinion.

Sir *Richard Vyvyan* must call the attention of the House to the notable inconsistency, that the Chancellor of the Exchequer should present a petition against voting Supplies to the Government.

Lord *Milton* said, that the petition showed the confidence of the people in the Government.

Lord *Althorp* had himself alluded to the singularity some nights ago, when he presented other petitions of the same kind.

Mr. *James E. Gordon* remarked, that after the conduct of the hon. member for Middlesex at public meetings, he should not hold him a competent judge of what was constitutional.

Mr. *Hume* did not care a pin for the opinion of the hon. member for Dundalk, and was ready to leave it to the country to decide whose notions were most deserving of approbation.

Mr. *Gillon* added, that not a single meeting in Scotland had been disgraced by riot, and he should have been proud to have been present at all of them.

Petition to be printed.

Corn Laws.] Mr. *Hume* wished to ask the noble Lord opposite (Lord Milton), whether in the present state of the country, it would not be better to postpone his motion on the Corn laws, which stood for Wednesday next? There was very little chance that it could now be brought to a prosperous issue.

Lord *Milton* replied, that he would yield to the wishes of the House upon the subject, whatever they might be.

Mr. *John Wood* was prepared to support the noble Lord's intended proposition, at the same time, he thought that injury would be done to a good cause by urging the discussion forward in the present Session.

Mr. *Strutt* thought it would be little less than absurd for a self-condemned House of Commons to undertake to settle the great question, which involved the prosperity and excited the passions of the whole people.

Colonel *Lindsay* said, that the agriculturists of Scotland were extremely anxious that the question should be discussed and decided; and he hoped that the noble Lord would state his views on Wednesday. It was of the utmost importance that the country should know how this question was to be settled.

Mr. *Littleton* was of opinion, that if the Corn laws were now discussed, party feeling would interfere with any decision of the question upon principle. He, therefore, recommended postponement.

Mr. *Keith Douglas* hoped that the noble Lord would persevere. It was indispensable that the country should be made acquainted with the noble Lord's plan.

Mr. *Slaney* was in favour of postponement. He wished this great question to be calmly and dispassionately discussed, so that the decision might satisfy the people, which could not possibly be the effect of discussing it during this Parliament.

Mr. *Robinson* wished to see whether Ministers intended to apply their principles of free trade to the trade in grain.

Sir *Robert Price* thought it advisable to defer the Motion to the next Session of Parliament. He disclaimed any party understanding in the matter, but he could perceive, from the *animus* that had entered into the discussion, the motives by which some hon. Members were actuated.

Mr. *Robinson* denied having entertained any motive beyond a wish for a direct consideration of the question.

Sir *Robert Price* said, he had made no allusion to individual Members.

Sir *Alexander Hope* was in favour of the earliest discussion, as the agricultural interest was deeply involved in the question.

Sir *George Warrender* thought that the House could not arrive at a calm and satisfactory conclusion in the present Session.

Mr. *Denison* joined in the request for a postponement of the subject.

Colonel *Sibthorp* objected to the postponement of the noble Lord's motion.

Mr. *Walter Campbell* deprecated all discussion on the subject at the present moment.

Mr. *Baring* thought it most strange that a question of this magnitude should be brought forward, and then left undecided. He had no doubt that the noble Lord (Milton) was sincere in placing this notice of motion on the books of the House, and was sure that in so doing it had been his intention to bring it forward; but see the state in which the country would be placed if the subject were now left in a state of uncertainty as to the course which Parliament might be disposed to take respecting it. No man, he was sure, would be disposed to take a farm while so much uncertainty was allowed to exist as to the probable future value of land, as it might be affected by some change in the Corn laws. It was objected that the discussion would be conducted with the acrimony of party feeling. Now, if there was any question which, less than another, was likely to excite party discussion, it was this of the Corn laws. Men would be influenced, not by the party to which on other subjects they might be said to belong, but by considerations referring solely to those interests in the country with which they were more particularly connected. If it were urged that, on the eve of a dissolution of Parliament, it would be inconvenient that the constituency of the country should know the opinions on this subject of those who came for their suffrages, then he must say, that a more unfair and hypocritical course could not be adopted towards the country. There was, he repeated, no worse situation in which the country could be left than that of uncertainty on this important question. Men would not know what course to take—whether to call in their mortgages, or to purchase or sell land—all would be doubt and uncertainty. If the notice had not been given, men's minds would not be agitated in this manner, but the notice having been given and deferred from time to time, and then withdrawn altogether, would leave the matter in such doubt as must be productive of the most serious consequences.

Mr. *Coke* expressed a hope that his noble friend would defer his motion to a future Session. He had heard the observations of the hon. member for Thetford with some astonishment; for if his memory did not deceive him, the hon. Member formerly took a very different view of the question, and said, that for his part, he should like to see corn at 1*s.* 6*d.* a bushel.

Mr. *Baring* did not think it necessary to explain what he might have said ten or fifteen years ago; but the hon. Gentleman had misunderstood him, if the hon. Member thought he meant to say, that this uncertainty would prevail because the House did not come to a decision on the Corn-laws: he said, that it would prevail on account of this notice having been hanging over us during the whole Session, and being now at length put off, for fear Gentlemen should be obliged to state their opinions.

Mr. *Coke* said, it was his belief that the general wish of the country was against the discussion of this question at present.

Mr. *Woolrych Whitmore* thought it much better not to enter upon the discussion at present. He entreated the noble Lord (Lord Milton) not to press his motion during the continuance of the present Parliament, but to do so on the first favourable opportunity which might present itself after a new Parliament had assembled.

Mr. *Hodges* had no apprehension of meeting his constituents after voting on the corn question, or of explaining his views on the subject before he voted; but yet he united with those who were anxious that the noble Lord should not press his motion at present.

Lord *George Lennox* believed that, in the present state of the House and the country, it would be impossible to do justice to the question of the Corn-laws. As it had been attributed to some persons on his side of the House that they were anxious to postpone the discussion, as it might be inconvenient to meet their constituents after voting on it, he felt himself bound to say, without attributing anything to individuals, that some hon. Members might find a discussion on the Corn-laws very convenient for the purpose of wiping off the disgrace they had covered themselves with by their votes against Reform. By their votes on the Corn-laws they expected, perhaps, to curry a little favour with those they had hitherto voted to oppress.

Mr. *John T. Fane* thought it was quite clear, from the speeches the House had just heard, that a dissolution was impending. For that reason he thought it very important that every Gentleman's sentiments should be known on the Corn laws.

Lord *Milton :* I hope that I shall not entirely fail in satisfying both classes of Gentlemen on this subject. In the first place, I beg to say, that I have never been in the habit of concealing my sentiments on political subjects, with the view of pleasing any party ; and therefore I do not think that I ought to be accused of that now. But, nevertheless, I conceive that it is not the duty—perhaps hardly the right, of any individual to agitate a question in this House, when a great majority of those whose sentiments are congenial with his own are not desirous that it should at that moment be agitated. In the first place, I shall endeavour to satisfy the hon. member for Fifeshire, by fully stating to him the opinion that I entertain on the subject, and the ultimate object which I have in view, though I am afraid that I cannot be allowed to state all those arguments which with me are conclusive in support of that opinion, which, I can assure my hon. friend who spoke last, I am not afraid to proclaim even to my own constituents. It must be in the recollection of the House, that the Parliament and the country have been agitated by this question for not less than seventeen years. During that period, time after time, Corn bills have been propounded to the House, and each Ministry has in turn found it to be ultimately necessary for them to change their opinions and to agree in some new system. Without at all intending to detract from the abilities of my right hon. friend, the President of the Board of Control, I must be allowed to express a doubt whether he has in this respect been more successful than his predecessors ; for I do not believe, that the present corn laws are able to stand the test of a serious and sober examination. For my own part, I believe that there is a radical defect in those laws ; but, without entering into an examination of this length, I am free to state to the hon. member for Fifeshire, that my opinion is, that the trade in corn ought to be free. At the same time, I am not of opinion that it would be inexpedient to levy a duty on the importation of foreign corn. I think that a fixed importation duty would conduce more to the interests of the farmers and the owners of land than the present fluctuating duties. Let me not, however, be supposed to be speaking in terms of disparagement of my right hon. friend who introduced the present bill ; for I think that it was the means of introducing a great improvement in the former corn system ; it does not, however, seem to me to place the trade in foreign corn on a footing which can be ultimately maintained by this country. Hon. Gentlemen have said, that it is impossible to come to a satisfactory conclusion on this subject during the present Session of Parliament. In that opinion I entirely concur. It has also been stated by others, that, at the present moment, it would be impossible to discuss the subject with that calmness and consideration which the graveness of the subject demands. It is very possible that those hon. Gentlemen may be better judges of the matter than I am ; but I certainly had flattered myself that this subject might be discussed without any display of that intemperate feeling which is, unfortunately, at the present moment, too prevalent in this House. Under that view, I thought it desirable that, without any final adjudication of the question, an opportunity should be afforded to hon. Gentlemen to compare the different opinions that were entertained on this subject, and to discuss the various topics arising out of it in that spirit which might most tend to the advantage of the country. Undoubtedly, if such a prospect cannot be reasonably entertained—if it is impossible to flatter ourselves that such a result will ensue—it will be far better to leave the subject untouched for a time. At the same time, let me remark, that I gave this notice with the most perfect determination of bringing the question forward; and give me leave also to say, that in my opinion, there is no class of society in this country which has more interest, not only in having the question settled—but settled likewise in the sense in which I wish to see it settled—than the tenantry of England. One of the evils of the present state of things is, that it encourages both landlords and tenants to indulge in extravagant hopes and expectations which never can be realized, and the non-realization of which must lead to the ruin of the tenant, and the distress of the landlord. Every Bill that does not proceed on sounder principles than the present Corn Bill, is vicious in its very foundation, and any superstructure that is built upon it, must necessarily defeat the objects that it has in view. This, Sir, is strictly the view which I take upon the subject of the Corn laws: I have not entered into that view so fully as I could have wished; but I trust that I have said enough to set the mind of the hon. member for Fifeshire at rest as to the intentions which I have on the subject. As to the great mass of consumers in the country, it cannot be denied that the present Corn laws raise the price of provisions here beyond that which they bear in any country on the Continent: and when we see the formidable competition which there exists against our manufactures, I cannot help trembling for their pre-eminence, if the price of provisions in this country is to rest at a level so greatly superior to that of foreign nations. These, Sir, are the reasons which have induced me to think that the present Corn laws are not advantageous to the country. Whether, therefore, I consider the question in reference to the manufacturing classes, or the agricultural classes, I am satisfied that the Corn laws are injurious to the great bulk of the community; and even with respect to the landlord, I doubt whether they confer so much benefit on him, as it is fancied they do; for though in some instances they procure for him a higher rent, they also necessarily increase all those other expenses which form, with owners of land, the great bulk of their expenditure.

Mr. *Western:* I rise to Order, Sir. Is the noble Lord making his Motion now, or is he not? I apprehend not; and yet he is entering on a long train of arguments which, because there is no question before the House, no one will be allowed to answer. For instance, the noble Lord has told us that he is for a free trade in corn; upon which I would beg to observe—

The *Speaker:* I am afraid that the hon. Member himself is now about to fall into the same error of which he accuses the noble Lord. After the questions that have been put to the noble Lord, it is certainly somewhat difficult to know exactly where to draw the precise line for his reply. The noble Lord has been asked whether he intended to persevere in his Motion for Wednesday next? Now, it is certainly true, that as the Motion cannot now be entertained by the House, it must not be debated by one side, when the other has no opportunity of replying. But the noble Lord having been asked to postpone the Motion, he certainly was at liberty to state whether he would acquiesce in, or refuse that request, and his reasons for so doing; but in going beyond that, and in entering on an argument in reference to the general subject, he certainly rendered himself liable to the comment of the hon. Member.

Lord *Milton:* I am sorry if I have extended my observations too far; but I thought that they were called for by the remark, that it was desirable that the public should know what my views really were. It may be that I have entered too much into argument; but I am sure that the hon. Member himself would not have had me merely dryly state what my Motion was to be. I have, however, now pretty well stated what my opinions are. Allow me to add, that I consider that our present Corn laws are very injurious to our intercourse with foreign nations. And now, Sir, having responded to the appeal of the hon. member for Fifeshire, I must now respond to the appeal of those hon. Gentlemen who coincide with me in opinion, and who have asked me to postpone this Motion. To a certain extent, I do agree with their statements; for I did, undoubtedly, consider that this Motion would be the means of paving the way for more active operations next Session, and for making those operations more easy of execution. This, Sir, is not a question that is to be carried by storm. I desire no triumph of one party over another. What I want to see is, this question settled with the consent of the landed interest. What I wished was—though, perhaps, it was a vain wish on my part—to be an humble instrument towards inducing all parties to take a calm and consentaneous view of this question. Above all, I deemed it necessary that the agricultural interest should be a consenting party; because I should be extremely sorry that this question should be settled, so as to leave a sting behind. Pressed, however, as I have been by different hon. friends on all sides, I think that I shall be showing a greater deference to the House, if I now declare, that I abandon all thoughts of bringing the question forward during the present Session; and allow me to add, that the probability is, that in so doing, I must altogether resign the Motion into hands more competent than mine to do it justice.

Sir *Adolphus Dalrymple* had been at first much against the noble Lord's Motion, but now that it had been for weeks on the Books of the House, and no member of the Government had said a single word about it that evening, he thought it could not with propriety be postponed till next Session.

Lord *Althorp* said, I cannot help thinking that the hon. Gentleman has drawn a very unfair inference from the silence of Government. I can assure the House that my noble friend did not give this notice in concert with his Majesty's Ministers. On the contrary, the Government has no measure to propose on this subject; and I should, therefore, have opposed anything calculated to cause an alteration in the present Corn laws during the present Session.

Lord *Milton*: I beg to confirm the statement of my noble friend, that there certainly has not been the slightest concert between the Government and myself on this subject.

Subject dropped.

INTERFERENCE IN THE AFFAIRS OF PORTUGAL.] Sir *Richard Vyvyan*: I have a question to put to the noble Lord, the Secretary of State for Foreign Affairs, in which, I think, the honour of the country is much interested. I have this day heard a report in circulation, stating that an expedition has been fitted out from this country for Portugal; and there is also an appointment in the last *Gazette* of a certain noble Lord to a special mission to that country. As I am one of those who do not wish to interfere in the affairs of Portugal, and am most especially averse to any warlike interference, I cannot help expressing my surprise at an expedition of such magnitude having been sent out; and I wish to ask, whether its object is to interfere in the affairs of Portugal; and whether either Lord William Russell or the officer commanding the troops has orders to interfere in any event?

Viscount *Palmerston*: In reply to the question put to me by the hon. Baronet, I beg to say, that I shall confine myself to the statement which I made on a former occasion—namely, that the Government had determined, and made known its determination, to preserve a strict neutrality in the contest that was daily expected to take place between the two princes of the House of Braganza, so long as other powers preserved the same neutrality; but if other powers did not preserve that neutrality, then the Government would be prepared to act in such a manner as it might think fitting for the interests and the dignity of the country. As to the particular instructions which have been given to Lord William Russell, and to the naval officer commanding the squadron, I am persuaded that the House will feel that I should not be properly performing my duty, if I were to give to the hon. Baronet any explanation of those directions.

Sir *Robert Peel*: I wish to put one question to my noble friend, which I trust he will have no objection to answer, as the House is already in possession of most of the information which Government can afford on the subject. In the month of April, 1831, a demand for compensation was made on the Portuguese government, for certain grievances and losses alleged to have been suffered by British subjects; the correspondence on which subject is already before the House. I now wish to know whether the Government has made any fresh demands upon Portugal on account of similar losses and grievances, the dates of which are prior to the month of April, 1831?

Viscount *Palmerston*: It is true, that a few months ago a further representation to the Portuguese government was made on account of some individual claims, some of which were made previously to April, 1831.

Sir *Robert Peel*: I am aware that when there is a question of Breach of Privilege before the House, it is very inconvenient to enter into discussions on questions; but, I must say, that I think my noble friend ought to take an opportunity of explaining to the House, how it happens, that when a demand was made on Portugal for pecuniary compensation—a demand which apparently contained the whole of the British claims up to that date—the Government should choose the present opportunity, pregnant as it is with embarrassing circumstances to the reigning prince of Portugal, for making a fresh demand for claims, really anterior to the date of the former demand. Such a course appears to me to be utterly inconsistent with that neutrality which my noble friend professes, unless he can show that the circumstances under which the present demand is made, were not within the cognizance of the Government at the time of the last demand.

Viscount *Palmerston:* The simple fact is, that these claims were either not preferred or not substantiated at that time, in such a manner as to justify the Government in taking them up, and demanding compensation; and I beg to observe, that though the Government did make a demand in April, 1831, it did not state that that was the whole demand against Portugal.. These claims have since been substantiated, and it then became the duty of this Government to make a fresh demand on the government of Portugal; and, so far from there being anything in this like a breach of neutrality, such a demand is well known to be perfectly compatible with the best understanding between two friendly powers.

Sir *Robert Peel:* It certainly was not expressly asserted, I admit, that the whole of the British claims were put forward in April, 1831; but, if I remember right, the communication from the British Government to the Portuguese government contained some such expression as this—that the Portuguese government having refused to make reparation for certain losses incurred by British subjects, his Majesty's Government had come to the determination of making the following demand: and I, therefore, must say, that though this was not a direct ultimatum, it was something very like an implied one.

Sir *Richard Vyvyan:* According to the statement of the noble Lord, the only ground which could possibly arise for war would be an attempt on the part of the Spaniards to interfere between the two members of the House of Braganza. He could not suppose it possible that on such grounds as these, this country could be plunged into a war.

Subject dropped.

Tonnage Duties in France.] Mr. *Robinson* was anxious to call the attention of the noble Lord to a subject of very considerable importance to the Shipping Interest of this country. Some time ago an agreement had been entered into between this country and France, by which the vessels of each country should be charged the same Tonnage Duties in the ports of the other. Now, according to this regulation, French vessels in our ports were charged a duty of only 7*d.* per ton, while English vessels in the ports of France were still charged the high duty of 3*s.* 6*d.* per ton. He wished to know from the noble Lord, the cause of the delay of the French in not reducing the duties in their ports to the same scale as ours. He also wished to call the attention of the noble Lord to the fact, that British ships in the ports of France, were charged with high rates for lights, though it was well known that from Ushant to Dunkirk there was not a light-house which was of the slightest use to British vessels. Supposing that the French should at last make the tardy admission of our ships at the same rate of tonnage duties as we admitted theirs, still we were subject to high rates for lights, which in justice we ought not to be called upon to pay. He hoped to have a satisfactory explanation on this subject from the noble Lord, to prevent the necessity of a specific motion, which otherwise he should feel it his duty to make.

Viscount *Palmerston* said, that an unexpected delay had occurred in carrying the arrangement between the two countries into execution on the part of France. It was thought necessary that a measure should be introduced into the French Chambers, to render the arrangement effective on the part of the French government, but the closing of the French Chambers prevented the introduction of that measure; but he hoped that the French government would take speedy steps to carry the arrangement into full operation. As to the duties on British ships, a very considerable reduction had already taken place in the port of Calais.

Breach of Privilege—Case of Publishing Proceedings of Committees.] The Order of the Day read, for taking into further consideration the Breach of Privilege complained of by the Irish Tithe Committee.

Mr. *Stanley* said, there were two questions concerned—the one was, to satisfy the House that its Privileges had been infringed on; the other, to satisfy it that none of its own officers, or persons connected with the House, were concerned in that infringement. The first question had been settled by committing Mr. Sheehan to the custody of the Serjeant-at

Arms; and, to elucidate the other, he proposed to give the officers of the House an opportunity, by calling them to the Bar, of vindicating themselves from having taken any part in this transaction. The House might then learn what security it had, and what security the country had, that such transactions should not again occur. He proposed to call first to the Bar the officer of the House to whose department the distribution of Reports belonged, and if he stated that he received twenty copies in the whole, and could prove that he distributed them, then he would be vindicated, and all about the House would be vindicated. No person could doubt that a great infringement of the privileges of the House had taken place, by whomever committed. The right hon. Gentleman concluded by moving that Mr. Whittam, the Committee Clerk, be called to the Bar.

Mr. Whittam was called accordingly, and stated, in answer to questions from the Speaker and various other Members, that he was the Clerk to the Committee sitting to inquire into the subject of Irish tithes; that he had received the draft of the Report, which he had transmitted through the Journal Office, in the usual manner, to be printed. He had not sealed it; he had attached a piece of paper, describing what was to be done, and delivered it into the Journal Office. It was left there open on Mr. Bull's desk. He had received twenty-four copies of the printed draft sealed up. Twenty were sealed up together. He had distributed twenty copies among the Members of the Committee, and to distribute them he had sent to Mr. Bellamy, the under door-keeper. Of the four others he had given one to the Member who said, he had not received his copy; one was disposed of by the direction of the Chairman, the Chairman got a second copy, and he had one himself. He believed it was the 14th of May when he delivered the draft into the Journal Office, and he did not believe that any person could have had access to it there to copy it. It was not common to find the Journal Office without a Clerk. It was Friday se'nnight that he forwarded the copies to the Members. When he heard that Mr. Lefroy's copy was not delivered, he inquired of the porter, and he said the copies had been delivered. A witness examined before the Committee was anxious to have a copy of the draft shown to him, which he declined; the gentleman pressed it, and he told him that it was a request he ought not to make. That gentleman was Mr. Mahoney. When he saw the porter who took out the copies, he was drunk. He was not an official messenger; his name was Butler, and he was employed by the lower door-keeper. He delivered the copies to a porter to give to the lower door-keeper, who had to distribute them. They were not all delivered by one porter.

Mr. Bull, the Clerk of the Journal Office, stated, that he received the draft, not sealed up, but in the ordinary form in which papers of that kind were transmitted to him. In general, he received such papers personally, not being much away from his office. It was wrapped up in paper. In general he received such papers back from the printer about four or five o'clock. He directed no more than twenty-four copies to be printed. They were sent back, he believed, to the Committee Clerk.

Mr. Hansard, the Printer to the House of Commons, received the draft from the Journal Office, on Monday, the 14th, about noon. He received directions from Mr. Bull, in the envelope, for the printing. He had printed thirty copies; twenty-four were sent to the Journal Office, and six kept in reserve, in case they were needed. The twenty-four were sent, under sealed covers, and put into the hands of Mr. Whittam. They were directed to Mr. Bull; but he not being in the way, they were given to Mr. Whittam. The other six, which were kept in reserve, remained in his custody under his lock and key. He was perfectly certain that no person could have taken a copy from his premises. That was so extremely difficult, that he might almost say, it was impossible for a copy to be surreptitiously obtained from his premises. The whole business was under his general superintendence, though he did not personally superintend the paper in question.

Henry Rees, a porter, had received the copies from Mr. Whittam, and delivered them to the lower door-keeper; they were sealed up, and in separate papers. He was not applied to for a copy by any person.

Mr. William Bellamy, the lower door-keeper, received twenty copies through Rees, sealed up, which he distributed. He gave them to porters to deliver. They were divided amongst five porters to distribute, according to districts; he did not know how many were given to each porter, but he gave the twenty copies among the five porters; after the delivery, he made no inquiry, and kept no account or record of papers intrusted to him to be delivered; the porters did not belong to the House, and he hardly knew what control he had over them. He could suspend them—that was, not employ them; he was responsible for the delivery, and he employed these porters. When he heard that Mr. Lefroy's packet had not arrived, he had spoken to the porter Butler about it, who said he had delivered all his packets. He was not always present when the porters took away the parcels to distribute; on this occasion he was present when the porters took away the parcels, but he did not count them. Butler appeared to him to be sober; he had frequently carried out papers, and had not been complained of; he had been complained of before, and suspended. Strangers could not possibly know what these packets contained. There was no difference made in the distribution of sealed papers and the ordinary parliamentary papers; they were all distributed in the same manner. Witness withdrew.

Mr. *Stanley* thought it was not necessary to prosecute the inquiry any further. It was not requisite to call Butler, the porter, before them, for they should get no more information. He had been before the Committee, and declared, that only two copies had been given to him, both of which he delivered. It was impossible to find out whether the fault lay with Bellamy, or with the porter. His object was answered if he had satisfied the House that a considerable degree of looseness prevailed in the distribution of papers, and that a remedy should be applied.

The *Speaker* thought it was not possible to specify precisely who was in fault. It was proper, however, to call the attention of the House to the course of proceeding, which appeared not precisely proper when secresy was most to be desired, and the motives to violate it were the strongest. It appeared that nothing was more secure than such papers in proceeding from the Committee through the Journal Office, and till their return to the Committee, but that they were exposed to hazard after leaving the Committee, on being sent for distribution. It would be proper, therefore, for the members of the Committee to apply for such papers, and the Clerk should only deliver them to the members of the Committee when applied for.

Mr. *Stanley* suggested, in addition, that it would be proper that the Clerk should inform the members of such a Committee when the papers were ready for delivery.

Lord *Althorp* said, some precaution should be taken in sending reports or other documents to the Journal Office. Such papers should not be suffered to lie on an open desk.

Mr. *Baring* hoped, that the suggestion of the Speaker would only be adopted in cases where great secresy was necessary. If it were acted on generally, it would be productive of much inconvenience.

The *Speaker* said, it was only intended to apply to cases where the preservation of secresy was absolutely necessary.

Mr. *Shaw* rose, to present a petition from Mr. Thomas Sheehan, who had been committed for a Breach of Privilege, to which he desired to call the attention of the House. With respect to the breach of privilege charged against that individual, he thought he should be able satisfactorily to show, that, at the time the publication in question took place, Mr. Sheehan did not know that he was committing a breach of privilege. Of the breach of privilege committed by publishing the proceedings of that House he was guilty, but of no other crime. That, however, was not the breach of privilege with which he stood charged, as appeared from the votes of the night. The breach of privilege, as declared in the votes, was for publishing in *The Dublin Evening Ma i* a Report, purporting to be the Second Report of the Committee of that House on the subject of Tithes in Ireland, the same not having been presented to the House; and also for refusing to inform the House from whom he obtained the copy of the said Report. The publication contained words to the effect, that the Select Committee, appointed for the purpose, had considered the matter, and agreed to the Report. He did not mean to justify this statement; it was very improper and indiscreet. But Mr. Sheehan did not know that the Report had not virtually received the sanction of the Committee, and it received the sanction of the Committee the Friday after; and Mr. Sheehan, as editor of the paper, very naturally wished to enable his paper to boast of earlier intelligence than was possessed by contemporary journals. There was nothing on the face of the Report itself to indicate that it was secret; it was printed; it commenced with stating, that the Committee had agreed to that as their Report, and the offence of the individual, therefore, was certainly not one of an aggravated nature; for he stated, most positively, that he did not know the Report was only in progress. He also stated, that it was not, either directly or indirectly, given to him by any officer of that House. It resolved itself, therefore, merely into just such a breach of privilege as was every day committed by the publication of the Debates. It was an advantage to an editor to get the earliest possible intelligence of such a document; this was the only motive by which he was actuated, and this certainly was a very venial offence. With regard to the second breach of privilege: Suppose Mr. Sheehan had received a copy of the Report from any individual; if he answered the question, Where did you get it? he must necessarily criminate that individual; and he thought the House would feel, that it was much more honourable for him to decline. It was to be observed, also, that he absolved all officers of that House from any imputation. The Report was just at the point of completion when sent by Mr. Sheehan; indeed, on the very morning when it was sent, he met a gentleman, not at all connected with the business, who told him, as a matter of public news, that the Report had been agreed to by the Tithe Committee. Mr. Sheehan begged pardon of the House for the breach of privilege of which he had been guilty, and he hoped the House would consider how constantly its privileges were violated by the Press, and that it would be a harsh, if not an unjust measure, to select one individual, and punish him for a crime which was shared by so many others, especially when they considered the really private documents which had been recently brought before the public, in the newspapers, with impunity.

The Petition was read.

Sir *Charles Wetherell* said, that although it was the duty of the House to enforce the principle of secresy, yet it ought also to take the circumstances of the case into consideration. If Mr. Sheehan had published as a Report to which the Committee had agreed, one which was not prepared or what was only a mere sketch of a Report, then he might be inclined to visit him severely. But, in the present instance, the Report which he published had not been obtained surreptitiously—it had actually been prepared and printed, and his only violation of privilege was, his desire to publish prematurely a Report which had not received the previous formal sanction of the Committee, but which was within twenty-four hours of doing so. Under these circumstances, he hoped the House would visit it with a lenient eye. Many newspapers had been suffered by that House to violate the seals of confidence in a more flagrant manner. Mr. Sheehan had merely published an intended Report, for he would assert that it was an intended Report.

Mr. *Stanley* said, that it was not an intended Report; it was merely a Report prepared by himself for the consideration of the members of the Committee.

Sir *Charles Wetherell* said, that the right hon. Secretary would have an opportunity of answering. Mr. Sheehan might have committed a breach of privilege, in refusing to answer the question as to the individual from whom he obtained it, but he could not have done so without a breach of private honour. It was not obtained surreptitiously, and he could not but consider it as a very venial breach of privilege.

Lord *Althorp* said, the hon. and learned Member was in error, in treating the Draft Report as the Draft of the Committee; it was the Draft, not of the Committee, but of his right hon. friend, who drew it. The hon. Gentleman might as well call a Resolution which any Member might have in his pocket, with the intention of submitting it to the House, the Resolution of that House, as to call that Draft the Report of the Committee. He was of opinion Mr. Sheehan had stated truly, that he was not aware of the fact, that the Report which he had published had not been regularly agreed to by the Committee, and therefore, that the offence which he had committed in that respect was a very venial one, and ought to be overlooked. If, therefore, the matter had ended there, he felt no difficulty in avowing, that his opinion was, the petitioner ought at once to be discharged. The only difficulty, however, which remained was, the position in which the House was placed, in regard to its capacity to call up witnesses and examine them as to any acts which it was necessary to establish. In this case a witness had been called to their bar, who, on being interrogated as to certain circumstances, had positively refused to give an answer to the questions which were put to him; and, if that refusal could be persisted in with impunity, and the House were to forego the power which it possessed of punishing such contumacy, he felt that the inquisitorial power of the House to elicit such facts as might be of importance to the nation, or to public business, was at once at an end. In the case before the House he felt a great difficulty, because he must admit to the hon. member for Dublin, that the instance in which the petitioner had refused to give an answer to the interrogation was one where every gentleman would have refused to give an answer, at all risks. Taking, therefore, all these circumstances into consideration, he should not feel disposed to oppose the petition; at the same time, in order that the House might not establish a precedent, by the example of which any future witness might be induced to refuse answers to the questions which were put to them, he thought it would be better, if the hon. member for Dublin founded any motion on the petition for the discharge of the petitioner, to append to that motion the words, 'that the Speaker be requested, at the same time, to admonish Mr. Sheehan.'

Mr. *C. W. Wynn* did not accord in the belief which was entertained, that the copy of the Report which had been used by the petitioner had not been surreptitiously obtained. It was clear that two copies of the number distributed had not found their way to the members of the Committee for whom they were intended; and, in order to clear the officers of the House from any participation in his offence, the petitioner declared that he had not obobtained his copy surreptitiously from any of them; but he tells the House, at the same time, that he would not divulge the name of the party from whom he had received it. Such an answer would not be admitted as valid in any Court of Justice, and he knew no reason why that House should entertain it; if they did, he saw no possibility of their preserving their inquisitorial power—a power which it was of the highest importance to preserve inviolate.

Mr. *O'Connell* did not look at the case in the same point of view that was taken of it by the right hon. Member who spoke last. The petitioner had thrown himself on the mercy of the House, and had acknowledged himself to be in fault. He had, it was admitted, refused only to do that which any other Gentleman would have refused to do; and his willingness to submit to confinement rather than infringe an honourable confidence, ought to obtain him credit for his declaration, that he had not obtained the document surreptitiously. Under these circumstances, he considered the honour of the House to have been sufficiently vindicated by the twenty-four hours' restraint which Mr. Sheehan had suffered; and he was disposed to concur in the prayer of the petition, as well as in any motion which might be made in favour of the petitioner. He thought, however, the hon. member for Dublin would do well to adopt the suggestion of the noble Lord (the Chancellor of the Exchequer), and that the Speaker should be authorized to warn the petitioner how he again trespassed on the privileges of the House.

Mr. *James E. Gordon* said, there was a precedent in the case of Sir Abraham Bradley King, who in his examination before the House of Commons, positively refused to answer Mr. Brougham's question with respect to the secret symbol of the Orange Clubs in Ireland, and who had yet been suffered to go from the Bar. This was a sufficient precedent if one were needed in the present case.

Mr. *John Campbell* suggested the probability that the porter had dropped the copies in question. It would be hard to send a man to Newgate for refusing to do that which he could not do without dishonour.

Mr. *Leader* considered, that the circumstances of the case ought to operate in favour of a mitigation of punishment.

Sir *Henry Hardinge* said, that there was no mark on the Report by which any individual could have divined that it was a secret document. Mr. Sheehan's refusal to answer the question as to whence he derived his copy, was grounded upon a principle of honour which he thought extenuated his offence. He therefore trusted, that the hon. member for Dublin would follow up the petition by moving for the petitioner's discharge.

Mr. *Stanley* said, that he was sure the House would believe him when he stated, that in the whole course of this proceeding he had been influenced by nothing in the shape of personal motives, and that he was only performing a duty imposed upon him by the Committee, who had felt themselves called upon to take up the matter. He certainly believed Mr. Sheehan's statement, that he considered the Report to be a public document when he obtained possession of it, for when that person was called before the Committee, in the first instance, he (Mr. Stanley) had been the first to point out to him the circumstance that there was an entire absence of all appearance on the face of the Report that it was a secret document. He thought, therefore, that that part of the case ought to be regarded merely as one of those breaches of privilege that are daily occurring in the House. With respect to the refusal of the petitioner to answer the interrogatories of the House, he was of opinion that, if the House was disposed to vindicate its power in that respect, it would be advisable that the suggestion of his noble friend (the Chancellor of the Exchequer) should be attended to, in the event of the hon. member for Dublin moving for the petitioner's discharge.

The petition ordered to be laid on the Table.

Mr. *Shaw* moved, that Mr. Sheehan be discharged from the custody of the Serjeant-at-Arms, upon the payment of his fees.

Mr. Knight seconded the Motion.

Mr. *Stevenson* moved, that Mr. Sheehan should be admonished for refusing to answer the question put to him.

Lord *Althorp* certainly thought that Mr. Sheehan should be called to the Bar and admonished by the Speaker, in order that the matter might not be drawn into a precedent. He must say, that the individual, whoever he was, that had communicated this document to Mr. Sheehan, had not only committed a breach of the privileges of that House, but had done that which was very discreditable to him as an individual.

Mr. *C. W. Wynn* still thought, that they should support the inquisitorial power of the House, and he did not see how they could enforce that power hereafter if they dealt with this case in the manner proposed.

Mr. *Shaw* said, that after the indulgent manner in which the House had received the Motion, he should not think of objecting to the Amendment.

Question, as amended, agreed to.

The Serjeant-at-Arms was ordered to bring Mr. Sheehan to the Bar.

The *Speaker* in the dignified manner for which he is so eminently remarkable, thus addressed him:—"Thomas Sheehan, the very serious breach of privilege which you have committed against this House, in presuming to publish a pretended Report from a Committee of this House, coupled with the fresh breach of privilege of which you were yesterday guilty, in refusing to answer the questions of this House, when you were required to state by what means you became possessed of the document which you so put forth as a Report of that Committee, left this House, in justice to itself and to the public, no other alternative than to commit you to the custody of its Serjeant.—The House has, however, now read your petition, wherein you pray to be released from the custody of its Officer, and also the explanation contained therein of the circumstances which you set forth, and of the view which you had in putting forth the pretended Report to which I have referred. You therein state, that you were, at the time of so doing entirely ignorant that the Report was of a secret nature, and that it was not at that moment sanctioned by the Committee, from which you pretended it to have come. You say also, that you were induced to publish that pretended Report, in consequence of your anxiety to anticipate others in the gratification of the public curiosity. The House is ready to believe that your assertions are entirely correct. With respect to the latter part of the petition which you have caused to be presented, you therein state, that you did not procure the pretended Report in question by the means of any Officer, or other person connected with this House. The House is anxious to believe that you consider this statement in your petition to be an answer to the question which was yesterday put to you, and to which you refused then to reply; for it would be impossible that this House, in maintaining its privileges, or in justice to the country, should do otherwise than commit to custody, and there retain him, any person who should contumaciously refuse to answer any interrogatory which the House may deem necessary to put to him. Believing, therefore, that part of your statement, and hoping also that, from whatever quarters you derived your information, the same mistake existed in the mind of the individual who communicated to you the pretended Report in question, the House is inclined to treat you with the utmost lenity, more, perhaps, than strict justice might warrant; but, in perfect reliance on your statement, and feeling guarded against any future repetition of your offence, by you or any other person, has directed me, after this admonition, to acquaint you that you are discharged from the custody of the Serjeant on payment of his fees."

Mr. Sheehan left the Bar.

Lord *Althorp* rose to move, that the Speaker's admonition to Mr. Sheehan be entered on the Journals, and in doing this he could not avoid expressing his sense of admiration of the terms in which the Speaker had conveyed the House's admonition to Mr. Sheehan.

Question carried *nemine contradicente.*

PARLIAMENTARY REFORM — BILL FOR SCOTLAND — COMMITTEE.] The House resolved itself into a Committee on the Reform of Parliament (Scotland) Bill.

First Clause postponed.

On the second Clause being put,

Mr. *Gillon* objected to the disfranchisement of the borough of Selkirk. It was the only instance of disfranchisement in the Bill and seeing no necessity for it he must protest against it.

Mr. *Pringle* thought this disfranchisement very capricious, and though he seldom agreed with the hon. Member, he would join him in protesting against this part of the Bill.

The *Lord Advocate* wished it had been possible to avoid this disfranchisement, but, as the population of both counties united did not exceed 17,000, it was not possible; and even, as it was, these counties might consider themselves particularly favoured. The population of the borough of Selkirk was about 6,000, and it was considered, on the whole, more expedient to throw the borough into the county.

Clause agreed to.

On the third Clause being read,

Sir *George Murray* thanked the learned Lord for having postponed the consideration of the first clause of this Bill, inasmuch as it enabled him to bring on the motion of which he had given notice in a more desirable shape, and at a more convenient opportunity, than if he had been obliged to propose it to the Committee on the reading of the first clause of the Bill. He was also happy that the request made to the learned Lord, for the postponement of the first clause, had afforded him an opportunity — the last which, perhaps, could occur—of testifying some remaining respect for the ancient institutions of his country, by stating that he had borrowed the arrangement, at least, of the clauses of his Bill from that observed in the Treaty of Union. He would submit to the Committee a claim, on the part of Scotland, to a larger proportion of Representation than that which was allotted to her by the present Bill. He was perfectly aware, that it would have been easy for Scotland to have found a much abler advocate of her claims, on this occasion, than himself; but it would be difficult for any advocate to find a cause more firmly founded on every principle of reason and of justice than that which he had then to plead. He did not mean to throw any false colouring over this question: he wished to state it as simply and as concisely as possible, giving it no other colouring than that which it would receive from the facts he had to state, and from the arguments by which those facts could be fairly supported. He did not ask, on the part of Scotland, that she should be placed on a better footing than the other parts of the United Kingdom, but that she should be placed in a situation nearly similar to that in which England was placed by the English Reform Bill. In the course of these discussions, arguments had been used with regard to Scotland, to the effect that she having hitherto had, as some hon. Gentlemen were pleased to say, no constituency, it was quite a sufficient boon now to give her only a constituency. But surely it could not be consistent with justice to give to Scotland a constituency, and, at the same time, to refuse to grant to her that adequate share of Representation to which such a constituency was most justly entitled; and, whatever degree of plausibility there might appear to be in such arguments, when brought forward by hon. Gentlemen in the House, exercising more of ingenuity than of sound judgement.—the people of Scotland were too intelligent, and too shrewd a people to be put off by such arguments from pressing their just claims to a larger portion of Representation than was allotted to them by the present Bill. Other Gentlemen had referred to the Union, and had stated, that at the period of the Union, the proportion of Representation proper for Scotland was duly allotted to her; but this argument could not be sustained, for the principles established and the stipulations made at the time of the Union had already been frequently departed from, in many more important particulars. Before the Union, the Representation of Scotland was, indeed, fixed at the number of forty-five; but the Committee would, perhaps, allow him to refer to the 22nd Article itself of the Treaty of Union between England and Scotland, which was in these words:—'Forty-five Members are to be elected 'to sit in the House of Commons of the 'Parliament of Great Britain, according 'to the agreement in this Treaty, in such 'a manner as by an Act of this present 'Parliament of Scotland shall be settled; 'which Act is forcibly declared to be as 'valid as if it were a part of, and ingrossed 'in this Treaty; and the forty-five 'Members for Scotland (such forty-five 'Members being elected and returned in 'the manner agreed upon in this Treaty) 'shall assemble and meet together, &c.' The present measure entirely departed from the manner in which it was determined, by this Article of the Union, and by the Act of the Scotch Parliament referred to in it, that the Scotch Members should be elected. This Bill introduced an entirely different mode of election from that which was settled at that time. The rule formerly laid down for the purpose of assimilating the Scotch constituency and mode of election to that which had been established for England, by the English Reform Bill, had been abandoned; as also the number of forty-five Members, as settled at the time of the Union. All he had to ask was, that they should also depart from the Union in another point, by assimilating, in some degree at least, the proportion of Representation allotted to Scotland to that which was bestowed upon England. He was willing to admit, that if this measure of Reform had been adopted separately and successively in the different portions of the United Kingdom, there might have been some ground for maintaining, that there should be an adherence to the proportions of representation already established; but, as this measure had been general and simultaneous, except with reference to the exact period at which those branches of it which related to the different divisions of the United Kingdom had been discussed—he did not see why the proportion of Representation given to Scotland in that House should have reference to the proportion settled at the time of the Union. At the period of the Union, the nobles of Scotland amounted in number to 154. By the articles of the Union, the proportion of Representation allotted to the Scotch Peerage was sixteen; so that about one-tenth only of the whole number of the Peerage was allowed to represent that body of nobility in the Parliament of Great Britain. But what was the case now? By the successive creations of British Peers, in consequence of the judicious and proper exercise of the prerogative of the Crown, the Peerage of Scotland had now a much greater share of protection in the British Parliament than it was at that time allowed to have; and thus the introduction into the Parliament of Great Britain of a much larger number of Scotch Peers than was settled at the Union, had gradually applied a remedy to that part of the Treaty. The total number of the Scottish Peerage at present was about eighty, and of that number there were no less than thirty Scotch Peers also Peers of Great Britain, and who, therefore, had hereditary seats in the British Parliament, in addition to the sixteen elected Representatives; giving to the whole of the Peerage of Scotland the protection of forty-six of its members in possession of seats in the House of Lords of the United Kingdom. Thus, by the gradual exercise of the prerogative of the Crown alone, the Scottish Peerage had obtained a much larger portion of Representation in the Parliament of Great Britain than was allotted to it at the time of the Union. But the Commons of Scotland had obtained no such advantage. Scotland had largely increased in population and in wealth; the people had rapidly advanced in instruction and intelligence, but no addition whatsoever had been made to the Representation of the Commons of Scotland. The Crown had no power of itself to assist them. The increase which had taken place in the population could be stated; but as to the increase in wealth and intelligence in Scotland, and in the various important interests which had sprung up, these were subjects with respect to which no accurate calculation could be made, and it was difficult to state whether these different elements of a nation's prosperity were twenty, thirty, forty, or even fifty times greater now than at the time of the Union, and yet no greater share of Representation had been given to the people of Scotland than was allotted to them at that period. It was perfectly undeniable, that some remedy ought to be applied to this obviously existing defect. The letter of the Treaty of Union, indeed, remained, with regard to the Representation of the people of Scotland in the House, but the spirit of the Treaty did not remain. The spirit of the Treaty was entirely gone; for the Representation of Scotland, at the period of the Union, was fixed upon certain principles, which, if they were applied now, would give to that country a much greater share of Representation than was allowed to it by this Bill. At the time of the Union, the two principles taken as a basis of calculation were, population and taxation. The united population of England and Wales amounted, by the last census, to 13,894,574; that of Scotland to 2,365,807. Now, if this basis of calculation were taken singly, and the number of Members which should be allotted to Scotland determined by it, applying the same principle as that which had been made use of by his Majesty's Ministers in the enfranchising clauses of the Reform Bill for England, it would be found, that if England and Wales had 500 Representatives, Scotland ought to have, by her population, eighty-five. Again, if the revenues of the two countries were alone made the basis of calculation, the revenue of England and Wales being, by the latest returns, 43,258,991*l.*, and that of Scotland 5,113,353*l.*, the proportion of Representation for England and Wales being as before, 500, Scotland ought then to have fifty-nine Representatives in that House. But if these two proportions were taken together, the number that should be allotted to Scotland, on the same principles as were established and followed at the Union, would be seventy-two Representatives in the House of Commons. But these statements of the amount of revenue were in some degree unfair towards Scotland, because there were several descriptions of goods imported exclusively into England, but the duties on which fell ultimately upon Scotland; the article of tea, for instance, was one of these, and if an allowance of a million of money were made for these duties, this would raise the proportion of Representation which ought to be given to Scotland, on the joint principles of population and of revenue, to the number of seventy-eight Representatives. Assuming another principle as the basis of calculation—a principle which could not be taken at the Union, the value of real property, as assessed in 1815, and which was a very fair basis of calculation, the annual value of real property, as assessed in England and Wales in that year, amounted to 51,898,423*l.*, and in Scotland to 6,652,625*l.* This principle of calculation, applied singly, would give to Scotland sixty-four Members. But if the average of all these three principles—population, revenue, and the assessment of real property in 1815—were taken—the result of that calculation would be, to give to Scotland sixty-nine one-eighth Members, making no allowance for those duties to which he had already alluded; but if the allowance of one million were made for the duties, then Scotland would be entitled to seventy-five two-thirds Representatives. There was yet another element of calculation. The noble Lord, the Paymaster General of the Forces, in the discussion which took place upon the English Reform Bill, on the 5th of last March, had stated, that the proportion of Representation given to the southern counties of England was one Member to 22,000 inhabitants, and that the proportion of the northern counties was one to 28,000 inhabitants, which gave for the whole of England an average of one Representative to every 25,000 inhabitants. Now, if Scotland had Representation given to her upon the same scale, she would have not less than between ninety-four and ninety-five Members in this House. The average of Representation proposed to be given to Scotland by the present Bill, however, was in the proportion of one Representative only to every 44,636 inhabitants; so that the average proposed to be given by the present Scotch Reform Bill was exactly one half of that which was given to the southern counties of England. The observations made by the noble Lord, the Paymaster of the Forces, on the occasion to which he alluded, were these: 'A right hon. 'Baronet (Sir Robert Peel), in a former 'debate, drew a line betwixt the north and 'south, and endeavoured to show that the 'latter had been sacrificed. He had since 'examined that calculation, and he found 'that in the south the proportion of Representation would be as one Member for '22,000, while in the north there would 'be one to 28,000 or 29,000. It would 'be perceived by the returns he had quoted 'that Durham had by this arrangement no 'more than one Representative in 25,000, 'and he would, therefore, conclude by 'declaring that, in his opinion, the share 'it possessed in the aggregate Representation of the country was only meted out in 'a just proportion to the strength, revenue, 'and welfare of the empire at large.'* This reasoning appeared to the noble Lord to be peculiarly apposite and well founded when applied to the north of England, and in particular to the county of Durham; and he (Sir George Murray) was by no means disposed to deny its application. But why did this reasoning of the noble Lord stop short in England? Why was not that principle extended also to Scotland? Had it no just application there? Had Scotland no strength, no importance, no prosperity? Did she not contribute her due proportion of all these to the State? Why, therefore, was Scotland to be treated in a different manner from the northern counties of England, and from the county of Durham? He could see no ground of argument whatever upon which to support such a doctrine. A few nights ago, on a discussion upon the Irish Reform Bill, an hon. Gentleman remarked, with reference to the recorded saying of Louis 14th, that there were no longer any Pyrennees to divide France from Spain; and the hon. Member said, that he wished there might no longer be any Irish channel to divide England from Ireland as to rights and interests. He (Sir George Murray) asked much less; he asked only that there might no longer be any Tweed or any Cheviot Hills; that those limits which formerly beheld so often two neighbouring nations marshalled against each other in hostile array, but which now saw them united by bonds of friendship, which he trusted would never be broken, and emulating each other only in intelligence and industry, might cease henceforward to be the landmarks of any invidious and unjust distinctions. All he required was, that the inhabitants of the north of an united country might receive, if not exactly the same, at least something like the same share of privileges with those who inhabited the south. But, in support of his argument for additional Representation for Scotland, he might refer also to the case of Wales. The population of Wales was stated by the census to be 805,236, and the Representation given to that principality was in the proportion of one Member to 28,758 inhabitants. In Scotland the proportion was, by the Bill, one Member to 44,600 inhabitants. Now, here also was a very great disproportion against Scotland in the share of Representation allotted to these two parts of the United Kingdom; and on what principle of fairness or justice could such a proceeding be defended? He was perfectly at a loss to understand it; and he had been unable to discover any argument by which such an arrangement could be supported. His Motion might be opposed by the will of the Minister, and defeated by a majority of that House, but he could conceive no argument on which it could be resisted. He would now look to the Representation of some of the English counties taken separately, and compare it with that of the counties in Scotland; and here again he must beg permission to refer to what was said by the noble Paymaster of the Forces, on the same occasion to which he had before alluded. The noble Lord observed—'It was said, that Durham 'was better represented than any other 'county. But how was this proved? 'Certainly not by the population Returns, 'for Wiltshire had one Member for 13,000 'inhabitants, Sussex one for 15,000; 'Southampton one for 19,000; Dorset one 'for 11,000; Bucks one for 13,000; Hereford one for 15,000; Huntingdon one for '13,000, and Rutland one for between '9,000, and 10,000, while Durham had 'one for every 25,000 only. By these 'statements it appeared that the southern 'counties had a great advantage in point 'of comparative Representation'.* That was the argument of the noble Lord in support of the amount of Representation given to Durham. The Scotch county which stood first in the list—the county of Aberdeen—had a population of 177,600. The Representation allotted to that county was two Members and a quarter, making the proportion of Representation to population about one Member to 79,000 inhabitants; whereas, it appeared by the speech he had just read, that in eight or ten counties in England, the average was from one Member to 13,000, to one Member to 15,000 inhabitants. To the county of Argyll, with a population of 101,400, the Representation given was one Member and a quarter, being in the proportion of one Member to 81,000 inhabitants. The county of Ayr, with a population of 145,100 had two Members and a half, being in the proportion of one Member to 58,000, inhabitants. In the counties of Fife, the proportion of Representation to population was one to 36,000; Forfar, one to 46,000; Inverness, one to 71,000; Perthshire, which contained 142,900 inhabitants, had two Representatives only, one for the county and one for the city; the proportion of Representation to population being in this case, one Member to 71,450 inhabitants. In the county of Edinburgh, which had a population of 219,600, the proportion of Representation was one Member to 54,000 inhabitants; and in Lanarkshire, which had a population of 316,800, the proportion of Representation was one to 100,000 people. The House might determine that this should be the proportion of Representation which should be given to Scotland, but then the people of Scotland would have a just right to complain, especially when they recollected that the House was proceeding upon the principle of remedying abuses, and of endeavouring to establish one general system, and one uniform plan, which his Majesty's Ministers had all along told the House they trusted would be a final arrangement. He was, however, perfectly convinced that their plan never could lead to a final arrangement, fraught as it was with injustice in many respects, and in none more so than in the treatment which Scotland would receive from them. In his opinion, the measure which was to ameliorate the political system of any country could never be a final one, but that it would be found more expedient to have a gradual and cautious Reform, on safe and moderate principles, instead of vainly and rashly attempting to establish a final system by one great, sudden, and violent exertion. He hoped that what he had stated was quite sufficient to satisfy all impartial men of the strength and justice of the case which could be made out in favour of Scotland, and he trusted that he had put forward the arguments which had occurred to him on the subject in a tone of moderation and of good temper. He was aware of the dryness of all arguments resting chiefly upon calculations, and he felt most grateful, therefore, for the patience and attention with which he had been heard. Whatever importance he might have attached to those details, it would not appear to the people of Scotland to have been greater than they deserved, or that he had acted improperly in strongly recommending them to the most attentive consideration of the House. As a Scottish Member of Parliament, and as a county Representative from that part of the United Kingdom, he had thought it his duty to bring forward this Motion. Scotland was unfairly dealt with in this measure, and therefore he had brought forward her just claims. With respect to the county of which he had the honour to be the Representative, he trusted that he had discharged his duty towards all its inhabitants without any distinction, and with as much anxiety to promote their welfare as he could ever feel or possess under any change of system whatever. He put forward these claims, which he had now submitted for consideration, upon the part of a numerous portion of the population of the United Kingdom; upon the part, certainly of a portion of its inhabitants who were nowhere surpassed either for their industry or for their intelligence, and for that general instruction which pervaded in Scotland, even in the humblest classes of the community, a circumstance upon which, very properly, much stress had been laid by those who had argued in favour of the measure now under consideration. He also felt bound to say, that he put forward these claims on the part of a people than whom there was none more distinguished by morality or by their love of order, and to whom it would be more safe, therefore, to intrust the discharge of all those duties that would in future be reposed in them by the alteration which was now proposed to be made in the political system of the country; on the part of an ancient and a gallant nation, conspicuous in all ages, and under all circumstances, for a high spirit of independence, and which discharged all its duties in this great and united empire in such a manner as gave it an irrefragable claim fairly to participate in whatever rights, privileges, and advantages, the Constitution of the country could anywhere bestow. Whatever might be the fate, therefore, of this Motion, he should still maintain that it rested upon the soundest foundations of equity and of justice. He would now read to the Committee the Amendment he had felt it his duty to offer. He proposed to omit all the words in the third clause of the Bill, which was the clause under consideration, after the words "Be it enacted," down to the words "Provided always," for the purpose of inserting the following words—"That the Members hereafter to be returned to Parliament by the shires of Scotland, shall always be two Members for each of the larger shires, enumerated and described in the schedule A hereunto annexed, and one Member for each of the lesser shires, enumerated and described in schedule B hereunto annexed." In the event of the Motion being carried, he should hereafter submit the schedules he had to propose.

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* Hansard (third series), vol. x. p. 1136.

Hansard (third series), vol. x. p. 1136.

Mr. *Hume* said, he had listened attentively to the gallant Officer's speech, in order to convince himself whether he was serious or not. Did the gallant Officer forget that he had all along refused all Reform, and had asserted that Scotland wanted no Reform? He could not reconcile the gallant Officer's Motion for an enlargement of the Representation of Scotland with his former declarations, and must protest against the Bill being delayed by this new light breaking in upon the gallant Officer. He was convinced that the people of Scotland would be satisfied with the Bill, for, instead of giving them only eight Representatives, as the gallant Officer said, it would give them at least thirty, as so many at least, were nominees, and not their Representatives.

Sir *George Murray* denied, that he had been an enemy to Reform. He challenged the hon. Member to produce a single speech of his (Sir George Murray's) in which he had declared himself an enemy to Reform. On the contrary, he had always declared himself ready to consider any plan of Reform of the political system, and particularly with respect to Scotland.

The *Lord Advocate* said, that though he intended to oppose the Motion of the gallant Officer, he confessed that, on the first view of the subject, he had been impressed with a similar feeling. He was, therefore, bound to explain the grounds on which he had been induced to adopt a different opinion. If he had been left to form his opinion upon fair abstract principles, he might have thought that a larger Representation should be given to Scotland. But it was impossible to proceed upon such principles, and in many of the counties of England, anomalies might be shown to exist, an attempt to remedy which, and to reduce the whole to one uniform system, would have exposed the framers of the Bill, and justly, to the imputation of adopting a theoretical and fantastical scheme. It turned out, too, upon the application to Scotland of the principles on which the English Bill had been framed, of population and assessed taxes, that the proportion of Members due to Scotland would have been only fifty-eight, a number to which, in fact, it very nearly approximated. The right hon. and gallant Officer had asked, why make a distinction between the countries on different sides of the Cheviot hills; and, in reply, he might ask, why make any distinction between the counties on the southern side of that border? If, for example, they took the counties of Middlesex and Surrey, with the addition of the metropolitan Members, they would find, that their united population, to a small fraction, was equal to the whole population of Scotland. The population of Surrey and Middlesex was, 2,324,000; the population of Scotland was, 2,345,000: so that, within 20,000, the population of these two counties was equal to that of Scotland. He was not ashamed of this fact, neither did he blush for the poverty of his countrymen; but he would say, that in point of wealth and taxation, there was a monstrous preponderance in favour of these districts in England. The assessed taxes of Scotland amounted to 280,000*l.*; the assessed taxes of these districts only, in England, to 1,600,000*l.* Now, what addition was given to the Representation of England by these obnoxious metropolitan Members? The whole of the Representation given by the English Reform Bill to the mass of population and wealth in the counties of this country was but forty-three. The allowance of Members to Scotland altogether amounted to fifty-three; that was to say, that, in this view of the case, they got an advantage of ten. Now, applying the combined elements of population and wealth, the result would be, that out of ninety-six Members, Scotland should have only thirty-one: and these districts sixty-nine. Therefore, if this region—round the spot where they were now assembled (which, by-the-by, were supposed to have been unduly favoured) were adequately represented by forty-three Members, while Scotland had fifty-three, no undue partiality had been shown to the south of England, nor any unfair distinction made between it and Scotland. In the northern part of England, in which it had been said, that great partiality had been exercised, he would consider, for the purposes of this argument, the two counties, Yorkshire, and Lancashire, possessing, as they did, a very large population, 2,700,000, Scotland had a population of 2,345,000, leaving a difference of about 400,000 in favour of the two English counties. The proportion of assessed taxes was about one to two on the side of Scotland; and the result of this calculation was, that Scotland should have only forty-seven Members instead of fifty-three. If these two counties were compared with the southern districts of Middlesex and Surrey, and added together; it would be found that Scotland should have only thirty-five Members, according to this calculation, while Surrey and Middlesex alone would be entitled to eighty, and York and Lancashire to forty-four. All that any body could ask for Scotland was, that the towns in the north of the island should be dealt with as the other places in the south had been. Both these classes of places were those of which the opponents of the Bill had complained as being unduly favoured; and if these facts were correct, he confidently submitted that they made out a case in favour of the course which had been pursued. He would only add a word as to the peculiar scheme and nature of the augmentation which was called for by the gallant Officer. The gallant Officer had not informed the House how many counties he proposed to include in his schedule A; but judging from what he stated in his calculation of what Scotland would be entitled to, he (the Lord Advocate) should rather think that somewhere between thirteen and fifteen would be about the number which he proposed to add. He did not propose to add anything to the boroughs; the addition, whatever it was, was to be made to the counties. There was only one other point on which he should feel it necessary to trouble the Committee, and that was, whether there were any great partiality in the augmentations which had been made to the counties of Scotland, as compared with the borough Representation of that part of the empire. He could not conceive on what principle of practice, ancient or modern, it was possible to doubt for one moment that the proportion of county Representation given to Scotland was either larger or smaller than it ought to be. In the first place, the proportion that existed at the time of the Union was much larger than what existed a short time before; for it might be known to hon. Gentlemen who had looked into Scottish history, that after the year 1690, the whole number of county Members for Scotland was reduced to ninety, while the number of borough Members was sixty-nine, and this would afford precisely the proportion of thirty to twenty-two, which was the proportion established by the present Bill. This was the state of things in 1690. Twelve or fifteen years before the Union, the number of county Members was increased from sixty-four or sixty-six to ninety; and, therefore, they were now going back to the ancient standard established by the Scottish Parliaments. But then they were told, that by the proposed change they did not sufficiently increase the county in proportion to the borough Representation. The old borough Representation of England was to the present day four-fifths of the whole; and, therefore, there was plenty of room for the operations of this Reform Bill in England to take effect. Even now there would be something between two-thirds and three-fourths more of borough Members than of county Members in England, while the preponderance of borough Members over county Members in Scotland would be in the proportion of about one-third. If they were to adhere to the old plan, the borough Representation ought to be still double that of the counties. In short, the whole foundation of the error was to be found in the determination of those who were carried away with the captivating words "agricultural interest," not to trespass on its cherished and invaluable privileges. Scotland having only 2,345,000 inhabitants, had no less than thirty-three counties; while England, possessing a population of 13,500,000, had only forty. Was it reasonable—was it just—was it tolerable—to say that there should be the same proportion of Representation for these small Scotch counties as for the large and important counties of England, because they had chosen to eke out their land into certain portions, and then to baptize those portions by the magnificent name of "counties?" If these places were to have such a Representation, there must be a double Representation for the English counties, at the expense of a single Representation for towns. He had another table of calculation, with which, however, he would not trouble the House. As regarded the proportion which should belong to Scotch county Representation, compared with that of the counties of England, he might have a patriotic partiality in favour of his own country; but he could not deny the vast and important difference which existed between the counties of Scotland and those of England. Was it reasonable to call upon Ministers to depart from the course they had taken, when they were not breaking down existing institutions, but placing them on a fair and proper footing? On these grounds, therefore, he objected to the motion of the right hon. and gallant Officer; and he objected to it also on this ground—that the southern districts, with a population not less than that of Scotland, were by no means as efficiently represented. Under all these circumstances—seeing that Scotland had the advantage of a recurrence to the principles of the Union—seeing that out of 513 Members for England and Wales, they had deprived themselves of eight to increase her Representation; and recollecting, above all, that they had not only given her Representatives, but a constituency—he did think that Scotland ought thankfully to receive the boon which had been granted her. Even if the amount of her Representation had been left the same as at the time of the Union, she ought to have been grateful; but she ought to receive the benefit which was now held out to her as an inestimable and invaluable boon.

Sir *George Murray* said, in explanation, that the reason why he had not resorted to Lieutenant Drummond's calculations was, because they appeared to him to be based upon a principle adopted for the particular purpose of disfranchisement.

Sir *George Clerk* said, that he could not coincide in the opinion expressed by the learned Lord at the conclusion of his speech. Some of the boroughs were disfranchised because the patrons of them represented only themselves, and not the people; and, it would be in the recollection of the House, that, in the first Bill, it was not proposed to fill up the blank in the House which would be created by the disfranchisement of those boroughs. Why, then, should Scotland be so very grateful, as the learned Lord said she ought to be, for the cession of the small portion of this Representation which would otherwise have been a nullity. He had listened with some anxiety to the speech of the Lord Advocate, after he had heard him declare that he did not think that Scotland, under this Bill, would have her fair proportion of Representation, in order to ascertain by what process of reasoning he could satisfy his mind that he was acting consistently in supporting the Bill. After hearing the reasons assigned by the Lord Advocate, he must say, that there were no anomalies whatever which the same sort of reasoning would not justify. Considering the population of Scotland, and the amount contributed by that country to the national revenue, he contended that a sufficient number of Members had not been given to Scotland. He could not see the justice of the learned Lord's reference to the metropolitan districts, for the objections to their claim to a share in the Representation were peculiar; and with respect to the great English counties he had compared to Scotland in point of population, they were the only counties that could have been thus brought forward. The learned Lord had stated, that there were thirty-three Scottish, and but forty English counties, but he had not reminded them of the fact, that the smallest shire in England (Rutland) had two Representatives. It was provided by the measure of his Majesty's Government, that where the population of a county exceeded 150,000, it should be empowered to return four Members; and where the population exceeded 100,000, it should be entitled to return three. Now, he would only ask for Scotland the *minimum* of English county Representation. He wanted no more than the number of Members granted to Rutland for Scottish counties that contained four or five times the amount of its population. But to attempt to determine the claims of Scotland by any analogy to the English Reform Bill, which was itself a mass of anomalies, was altogether vain. The principle to which he, therefore, would refer the present Bill was that upon which the Representation of Scotland was based before the Union; that was, the preponderance of the agricultural interest. It was to be remembered also, that, from the Union to the present time, persons of wealth and influence, having deep interests connected with Scotland, found their way into that House, by means of those English boroughs which were now to be done away with; and that those persons were no less attentive to the interests of Scotland than if they had been more directly sent to represent that country. He did not wish to say much with regard to the electoral qualification, but he had reason to believe, that in the counties for which they asked a double Representation, it would give a great preponderance to the manufacturing and commercial interests over the agricultural. He believed that such would be the consequence of the 10*l.* franchise in the counties of Fife, Renfrew, Lanark, Forfar, and Edinburgh. When the learned Lord reverted to the ancient state of the Scottish Representation, he must have recollected that there was then but one Chamber in Scotland, the great Barons being required to attend in person, and the lesser to choose a Representative. The thirty county Members had been hitherto agricultural, but with one Member to the large counties, he was persuaded, that the agricultural interest would be materially affected by the Bill. He did not contend now that they ought to adhere to the ancient institutions of Scotland, but, as they were changing the system, they were bound to do Scotland justice, and to take care, above all things, that it would not be worse represented under the new system than it had been under the old. Even upon the Lord Advocate's own showing, Scotland was entitled to five or six Members more than were apportioned to that country under the present Bill. He did not say, that it would be convenient to add to the total number of the Members of that House, but it would be much better, as he conceived, to incur that inconvenience, than to do an act of injustice to Scotland. If the Bill were passed as it then stood, it would, ere long, be found to disappoint the expectations of the people of Scotland. They were convinced that they ought to be put upon a footing of equality with the people of England, and they would be thankful to his right hon. friend for his Motion.

Sir *John Malcolm* cordially concurred in the sentiments of his right hon. and gallant friend. The hon. member for Middlesex had inquired why his gallant friend had not produced petitions. He must admit that the petitions were all on one side; but he would take leave to add, that he did not consider that to be a circumstance which should sway the judgment of the House. The people, by their petitions, seemed likely to become a fourth estate, which, he maintained, was not consistent with the Constitution of this country. Having been a witness of the rapid growth of Scotland's prosperity, he did not think it expedient to make a total change in the system under which so many blessings had been attained.

Colonel *Lindsay* thought the Lord Advocate must have been educated in some Jesuit's College, for he had never heard a more remarkable instance of special pleading than his speech on this occasion manifested. All he (Colonel Lindsay) asked for Scotland was, the same measure of justice which had been granted to the English boroughs. He undoubtedly meant to vote for his gallant friend's Amendment, as he conceived, by every principle on which Ministers professed to base their Reform measures, Scotland was entitled to a larger share of Representation than that proposed in the present Bill. If they took population, it was entitled, relatively to England, to sixty-nine Members; if population with assessed taxes, to sixty-four. According to Lieutenant Drummond's scheme, the learned Lord said it was entitled only to fifty-eight. He did not know how that was made out, but that was five more than the Bill gave it. He was sure that the people of Scotland were not aware of the details of the Bill. If they were aware of those details it was impossible they could be satisfied, for the Bill inflicted a gross injustice on their country.

Sir *George Warrender* conceived, the argument of the learned Lord Advocate, against the founding an increase of Representation on mere population, to be unanswerable, and therefore would vote against the Amendment. Besides, if Scotland claimed so many more Members in consequence of her relative population, with what grace or justice could they refuse Ireland an increase in proportion to her population? He was aware, that this opinion was inconsistent with his former declaration, but he disregarded the taunts of inconsistency, the rather, perhaps, as consistency was not just now the most fashionable of public virtues; and, though he changed his opinions, no man could charge him with base or interested motives.

Mr. *Sinclair* entirely subscribed to the opinions of the learned Lord Advocate, and therefore would vote against the Amendment.

Mr. *Stuart Wortley* would vote for the Amendment. He thought that the arguments of the learned Lord had been completely answered by his hon. friend near him. The Motion, however, placed him in some little difficulty, for he did not like to alter the numbers of the Members of this House, as he thought that was the removal of a landmark from the institutions of the country which might lead to further innovation. But, on every principle of justice and consistency, Scotland was fully entitled to all the advantages which even Wales, comparatively a much inferior place, would derive under the Reform Bills.

Mr. *Patrick M. Stewart* would give the Bill, as it stood, his most cordial support, as he was confident—as were the people of Scotland—that as no part of the empire so much required Reform as Scotland, so no part would be so much benefitted by its advantages being extended to it. Representation in Scotland was at present a perfect mockery; the Bill would invest its middle classes with the power of freely exercising the elective franchise. By so doing it would confer a benefit, for which the people of Scotland felt very grateful. He was delighted with the Debate, because the Gentlemen on the opposite side had furnished arguments in favour of Reform which appeared to him unanswerable.

Mr. *Robert A. Dundas* was as much opposed as ever to the principle of Reform; but saw no alternative, after the decision of that House, but to vote for his gallant friend's Amendment, which was based on the principles of that decision.

Sir *Adolphus Dalrymple* supported the Amendment, and denied that there was any inconsistency in voting for that, though he had supported General Gascoyne's Motion.

Mr. *Cumming Bruce* also supported the Amendment. He must admit; that the learned Lord had been very eloquent, and very powerful, but he had completely failed to make out a case against his right hon. and gallant friend.

Mr. *Pringle* was of opinion, that the claim of Scotland to additional county Representation was unanswerable, and he would give the Amendment his most cordial support.

Mr. *Cresset Pelham* declared, that on the Lord Advocate's own showing, Scotland was entitled to more Representatives, and, as long as he was a Member of the Parliament of the United Kingdom, he would stand up for doing justice to every part of it.

Mr. *Sheil* wished to know how it happened, that when there were four universities in Scotland, and only one in Ireland, it was proposed to give two Members to the Irish University, and none to the Scotch Universities?

The House divided on the Amendment:—Ayes 61; Noes 168—Majority 107.

Clause, as originally proposed, agreed to. Several other Clauses were agreeed to. The House resumed—Committee to sit again.

List of the NOES.

ENGLAND.

Adeane, H. J.
Althorp, Viscount
Anson, Sir G.
Anson, Hon. G.
Baillie, J. E.
Barham, J.
Baring, F. T.
Barnett, C. J.
Beaumont, F. W.
Blamire, W.
Blunt, Sir C.
Bouverie, Hon P. P.
Briscoe, J. I.
Brougham, J.
Brougham, W.
Burton, H.
Byng, Sir J.
Byng, G.
Calvert, N.
Campbell, J.
Carter, J. B.
Cavendish, Lord
Cavendish, Hon. C.
Chaytor, W. R. C.
Chichester, J. P. B.
Creevey, T.
Clayton, Colonel
Curteis, H. B.
Denman, Sir T.
Duncombe, T. S.
Dundas, Sir R. L.
Dundas, Hon. J.
Dundas, Hon. T.
Ellice, E.
Evans, W.
Evans, W. B.
Ewart, W.
Fazakerly, J. N.
Ferguson, Sir R.
Foley, Hon. T. H.
Foley, J. H. H.
Folkes, Sir W.
Fox, Lieut.-colonel
Gisborne, T.
Graham, Rt. Hn. Sir J.
Grant, Right Hon. R.
Grosvenor, Lord R.
Handley, W. F.
Hawkins, J. H.
Heron, Sir R.
Heywood, B.
Hobhouse, Sir J. C.
Hodges, T. L.
Horne, Sir W.
Hoskins, K.
Howard, P. H.
Hughes, Colonel
Hughes, Alderman
Hume, J.
Ingilby, Sir W.
James, W.
Jerningham, Hon. H.
Johnstone, Sir J.
Jones, J.
King, E. B.
Knight, R.
Lefevre, C. S.
Leigh, T. C.
Lemon, Sir C.
Lennox, Lord A.
Lennox, Lord G.
Lennox, Lord W.
Lester, B. L.
Littleton, E. J.
Lumley, J. S.
Maberley, Colonel
Macaulay, T. B.
Maddocks, J. F.
Macdonald, Sir J.
Mangles, J.
Marjoribanks, S.
Marshall, W.
Milbank, M.
Milton, Viscount
Morpeth, Viscount
Morrison, J.
North, F.
Norton, C. F.
Ord, W.
Paget, T.
Palmer, C. F.

Pendarves, E. W. W.
Penleaze, J. S.
Petre, Hon. E.
Phillipps, C. M.
Philips, G. R.
Poyntz, W. S.
Rider, T.
Ridley, Sir M. W.
Robinson, Sir G.
Rooper, J. B.
Russell, Lord J.
Russell, Lieut.-col.
Russell, C.
Sanford, E. A.
Schonswar, G.
Scott, Sir E. D.
Sebright, Sir J.
Slaney, R. A.
Smith, J.
Smith, J. A.
Smith, R. V.
Stanley, Lord
Stanley. Rt. Hn. E. G. S.
Stephenson, H. F.
Stewart, P. M.
Strickland, G.
Strutt, E.
Stuart, Lord D.
Stuart, Lord P. J.
Talbot, C. R. M.
Thicknesse, R.
Thompson, Alderman
Throckmorton, R. G.
Tomes, J.
Townley, R. G.
Tracey, C. H.
Venables, Alderman
Vere, J. J. H.
Vernon, Hon. G. J.
Villiers, T. S.
Wason, W. R.
Watson, Hon. R.
Wellesley, Hon. W.
Whitmore, W.
Wilbraham, G.
Wilks, J.
Williams, Sir J.
Williams, W. A.
Wood, J.
Wood, Alderman
Wrightson, W. B.
Wrottesley, Sir J.

SCOTLAND.

Adam, Admiral C.
Agnew, Sir A.
Ferguson, R.
Gillon, W. D.
Grant, Right Hon. C.
Haliburton, Hon. D. G.
Jeffrey, Right Hon. F.
Johnston, J.
Johnstone, A.
Johnstone, J. J. H.
Loch, J.
Mackenzie, S.
M'Leod, R.
Morison, J.
Sinclair, G.
Stewart, Sir M. S.

IRELAND.

Acheson, Viscount
Belfast, Earl of
Brown, J.
Browne, D.
Bourke, Sir J.
Chichester, Sir A.
Duncannon, Viscount
Killeen, Lord
King, Hon. R.
Knox, Hon. J. J.
Oxmantown, Lord
Ponsonby, Hon. G.
Power, R.
Rice, Right Hon. T. S.
Russell, J.
Walker, C. A.
Westenra, Hon.
White, Colonel
White, S.

TELLER.

Kennedy, T. F.

PAIRED OFF.

Atherley, A.
Brabazon, Lord
Buxton, T. F.
Cavendish, Hon. H.
Cradock, Colonel S.
Crampton, P. C.
Davies, Colonel
Ebrington, Lord
Heneage, G. F.
Knight, G.
Labouchere, H.
Lamb, G.
Mayhew, W.
Nugent, Lord
Ossory, Earl of
Parnell, Sir H.
Paget, Sir C.
Pelham, Hon. C.
Ponsonby, Hon. J.
Price, Sir R.
Robinson, G.
Rumbold, C. E.
Stanley, J. E.
Thomson, Rt. Hon. C.
Tynte, C. K. K.
Walrond, B.
Western, C. C.
Whitbread, W. H.
Williams, J.
Wood, C.

HOUSE OF LORDS,
Saturday, *June* 2, 1832.

MINUTES.] Bill read a third time:—Insolvent Debtors Act Continuation.

HOUSE OF LORDS,
Monday, *June* 4, 1832.

MINUTES.] Papers ordered. On the Motion of Lord WHARNCLIFFE, Copy of the Letter from the Chief and Council of Masulipatam, dated the 5th of December, 1783, on the general state of the Circars, to the Governor and Council of Madras; and, also, a Copy of the Minute of Lord Macartney, of the 16th of December, 1783, in answer to the above.

Bills. Read a second time:—Court of Exchequer (Scotland); Punishment of Death; Vice Admiralty Courts; Crown Lands (Ireland); British Museum.

Petitions presented. By the Earl of RODEN, from the Presbytery of Newcastle-upon-Tyne, for discontinuing the Grant to Maynooth College.—By the Earl of SELKIRK, from Glasgow, for Relief to the West-India Interest.—By a NOBLE LORD, from Northampton, for the Abolition of Slavery.—By the LORD CHANCELLOR, from seven places; and by the Earl of RADNOR, from Stilton, and other places, in favour of the Reform of Parliament (England) Bill.—By the Earl of WINCHILSEA, from Marden; and by Lord MONTAGUE, from Hamilton,—against the Ministerial Plan of Education (Ireland).—By Lord BERESFORD, from Non-resident Freemen of Berwick-upon Tweed, for the Preservation of their Franchise.

MINISTERIAL PLAN OF EDUCATION—(IRELAND).] Lord *Bexley* said, that in the absence of a noble Viscount, who would have performed the task much better, he was desirous to present to their Lordships a petition against the proposed plan of education in Ireland, agreed to at a public meeting at Exeter Hall. It was signed by fourteen Peers, twenty Members of the House of Commons, 156 Dissenting Ministers, and between 3,000 and 4,000 of the most respectable inhabitants of London and Westminster. This petition could not be said to originate in party spirit, for it was signed by men of all parties and of all religious persuasions, with the exception, perhaps, of Roman Catholics. For his own part, he was ready to support any measure of his Majesty's Government which would have the effect of pacifying Ireland, but it was because he thought the adoption of the proposed plan would have exactly the opposite effect, that he objected to it. It had been said, that the various societies previously established in Ireland for the education of the people had failed in their objects, but that was, he thought, an error. The petitioners were of the same opinion, and returned thanks to God for the success of those societies. It appeared by the Report of the Education Commission in 1812, that 200,000 poor children then received instruction in the schools in Ireland, of whom 20,000 only were taught to read the Scriptures. The Kildare-street Society formed its first schools in 1816; in the succeeding ten years it and other societies laboured with so much effect, that in 1826 the Commission reported that about 569,000 children attended the different schools, of whom at least 300,000 read the Scriptures. The number attending the scriptural schools had since gone on increasing. By the returns in 1831, the schools of the Kildare-street Society contained 137,000 scholars; those of the London Hibernian Society 70,000; those of the Baptist Society, 8,000; in all, 215,000 attending daily schools. Besides these, the Sunday School Society educated 202,000; making in all, 417,000. Could it be said that all these children were Protestants? In that case, instead of an inconsiderable proportion (as they were often represented to be), they must constitute at least half the inhabitants of Ireland; for, 400,000 children at school implied a population of from 3,000,000 to 4,000,000, and all those classes were to be added whose children did not receive gratuitous education: but the case was notoriously otherwise, and though the proportion between the two religions could not be exactly ascertained, there was good reason to believe that two-thirds of the children were of the Roman Catholic persuasion. But the claims of the Kildare-street Society to the protection of Parliament, and the gratitude of the public, did not end there. Exclusive of 1,620 schools, and 137,000 children, under the Society's care, it had educated since its commencement, 1,908 masters and 482 mistresses for schools, many of whom were Roman Catholics, and conducted Catholic establishments. Another important branch of the Society's operations was publishing books. Many of its members—men of great attainments and eminent character, in literature as well as in professional distinction—had devoted a part of their time and talents to the composition of elementary works in various branches of science, as ell as of religious and moral instruction. wThese works, which might vie with the very first productions of their class, even in this age, when elementary instruction had been so much attended to, were printed in a very cheap form, both for general sale and for lending libraries to the poor. Nearly a million and a half of cheap books had been issued by the Society, and 1,131 libraries formed under its auspices, besides a library attached to every school, making in the whole above 2,700 libraries in the different provinces of Ireland. He left it to the House to judge of the effect of such a mass of information dispersed throughout a country, whose inhabitants, in many parts, were wholly destitute of mental cultivation. Of the success of the new system very flourishing statements had been made; and a very important document had been laid before the other House of Parliament, to which he might without impropriety refer. He would venture to affirm, that it presented the complete picture of the total failure of an attempt at joint education. All that the influence of Government, aided by the zeal of its partizans, and a large grant of public money had produced, was six joint applications of a Protestant Clergyman or Dissenting Minister with a Roman Catholic Priest, for the erection of a new school, and thirteen for grants to schools already existing. There were three separate applications from Protestants for new schools, and nine for schools existing; and from Roman Catholics, 136 of the first kind, and 285 of the other. Could there be a more complete proof that in Ireland this system was not considered one of joint education, but exclusively Roman Catholic? He did not blame the Ministers for entertaining this plan in the first instance, for they found a great mass of materials prepared for them, and they believed that the public looked for some plan at their hands; but he should blame them if they persisted in it at the risk of destroying a real system of joint education, which already existed, and was daily gaining ground, but which it was the obvious tendency, if not the intention, of the new plan to undermine. The new plan could only be one of Roman Catholic education, and if Ministers meant to support it as such, let them say so; but let them not, under the mask and disguise of a joint system, covertly introduce one exclusively Roman Catholic. If they were determined to persevere in the plan, the vote for the Board of Education ought to come separately before the House, and not mixed up with the Appropriation Act, which would deprive their Lordships of an opportunity of discussing it. The noble Lord, in conclusion, moved that the petition be read.

The Earl of *Wicklow* would not trouble the House with any lengthened observations, but as he was the person who first brought the subject of the new plan of education in Ireland before the House, he thought that it was his duty to take the earliest opportunity of inquiring of the noble Lords opposite (the Ministers), whether it were true, as had been stated, that a very great change had been determined on by his Majesty's Government in the arrangements which they had lately made for the education of the poor of Ireland? At a meeting of the General Assembly, the Solicitor General of Scotland had stated, on the authority of repeated communications from Mr. Stanley, his Majesty's Secretary of State for Ireland, that it was the determination of the Irish Government to enforce the attendance of the Protestant children at Bible classes in the national schools; but to excuse Catholic children from attending to those classes. He looked upon that as a vital and most useful change of the system; and he thought it was due to the Government to make it known to the public, if, in compliance with the petitions which had been presented to both Houses of Parliament, they had really determined on such a change.

Viscount *Melbourne* said, that if he had been aware of the noble Earl's intention to ask this question, he should have been much better prepared to answer it. than he was at present. All that he was able to state now was, that Government never intended that the plan of education adopted in Ireland should not admit of changes which were consistent with the principles upon which it was founded. The alteration in the system which the noble Earl had alluded to did not appear to be inconsistent with its principles; but he could not at present say whether it was the intention of Government to propose it.

The Earl of *Wicklow* said, that he had given no notice of his intention of asking any information on this subject, because he conceived that the change to which he had alluded was of so vital a nature, that it could not possibly have been resolved on without the knowledge of every member of his Majesty's Government. If it should be adopted, he would withdraw his opposition to the new system of education in Ireland. If it had not been determined on, then he would say, that the meeting of the General Assembly had been unfairly dealt with.

Lord *Ellenborough* said, that the noble Viscount (Melbourne) ought to be able, without any previous preparation, to answer the question put to him. The noble Viscount himself was the responsible Minister for Ireland; and if he was not aware of that, he did not know the nature of the duties which he had undertaken.

Petition laid on the Table.

The Earl of *Roden* had also to present a Petition from Colreagh, in Sligo, against the present system of education in Ireland, and he must take the opportunity of stating, that if the alteration alluded to by the noble Earl were adopted, he should still consider the system liable to many objections.

The Marquess of *Lansdown* said, that the proposition commented upon by the noble Earl (Wicklow) was not of a vital nature, nor inconsistent with the principles upon which the new system was founded, and to which the Government was resolved firmly to adhere; namely, the application of the national funds to the joint advantage of Roman Catholics and Protestants. The proposition was merely to allow an extra hour out of the usual school-time to Protestant children for instruction in the Bible. This was in nowise inconsistent with the new system; and he for one disclaimed any support which might be offered on the ground of its being a vital alteration.

The Earl of *Wicklow* said, that it appeared from what he had read, that a Bible class was to be introduced in the national schools. This was an important alteration, because at present the Bible was not permitted to be used in the schools.

The Duke of *Leinster* said, that it had always been the intention of the Board to allow certain hours of the day to be devoted to religious instruction of the children, if the clergyman of the parish would attend for that purpose. The Bible was not, however, to be introduced during school hours. He assured the House that it was not without great pain he had heard the observations of some noble Lords opposite, who seemed to think that he was not a Protestant in his heart, and that he did not think reading the Bible necessary, for no other reason, that he could discover, than because he entertained a liberal feeling towards his Roman Catholic countrymen.

The Earl of *Roden* observed, that the noble Duke was a man of very high character in Ireland; but he did not appear exactly to understand the objection of those who disapproved of the new system of education. The objection was, that in that system the Bible was not made a school book. Dr. Chalmers had, on occasion of the Catholic emancipation measure, been held up as a high authority by the noble Marquess, and he hoped the noble Marquess would allow the same weight to that authority now, when he was decidedly opposed to the new system. His Lordship presented a petition against the new system from members of the Orange Lodge, 217, in the county of Down.

Viscount *Goderich* said, that nothing could be more erroneous than the statement of the noble Lord, that the grant to the Kildare-street Society was intended exclusively for the instruction of the Protestants. There never was a greater error, in fact. He remembered when the grant was first proposed to be made, and, that the great complaint on that occasion was, that Catholic and Protestant children were not educated together, and that the very reason for selecting the Kildare-street Society for managing the grant was, that its system was not exclusively Protestant, but included Catholics, and the proof of this was, that there were Catholic noblemen and gentlemen among its directors. The great object was, that the children of Protestants and Catholics should be admitted under the same roof, in hopes that when they grew up together, the effect would be, to soothe that feeling of irritation which had so long prevailed in Ireland. They might be disappointed in that, but such had been their object, so that it was a total mistake to suppose that this grant was intended for the exclusive benefit of the Protestants.

The Duke of *Sussex* wished to know whether the petition just presented purported to be the petition of an Orange club, or of certain members belonging to the club. He apprehended, that the petition could not be received as the petition of an Orange Lodge, as that was a body not recognized by law.

The Earl of *Roden* said, that he had described the petition as being the petition only of the persons signing it. He, was, however, surprised that the illustrious Duke should have made an objection to the present petition, when so many petitions were received by that House, coming from Political Unions, or from the members of Political Unions, which, he begged leave to say, were not less objectionable than the petitions of the members of Orange Lodges. The object of the two bodies was, he admitted, different; for the first had in view the overturning of the Constitution, and the other wished to support it to the utmost of their power.

The Duke of *Sussex* said, that his object in rising, was to prevent the petition being received in a manner which was not consistent with the forms of the House.

The Bishop of *Exeter* said, that it was certainly true, that public money had not been granted to the Kildare-street Society for Protestants alone; but that Society was selected by Government, not because its views were proselytizing, but because they were scriptural.

Petition laid on the Table.

TITHES (IRELAND).] The Duke of *Buckingham* was afraid he should incur the censure of the noble Viscount for rising to ask a question without first giving him notice. The matter, however, to which his question would refer was of so important a nature, that it must have fallen under the serious consideration of his Majesty's Ministers, if they were not wholly unfit for their situations. It was now many months since Parliament had been told, that it was the intention of Government to take measures for the purpose of remedying the grievances which had arisen in Ireland from the opposition to the payment of tithe. Committees of inquiry had been appointed in both Houses of Parliament, but, up to the present hour, nothing had been done by Ministers; while the state of Ireland was daily becoming worse, and the military force of the kingdom was employed for the purpose of protecting the march of cows and pigs seized for tithe. He wished, therefore, to know from the noble Viscount (Melbourne) whether it was the intention of Government to bring forward any measure for the purpose of setting the question of tithes at rest.

Viscount *Melbourne* was sure, that when the noble Duke charged the Ministers with having done nothing respecting the question of tithes, he must have forgotten the bill which had recently passed the Legislature, and received the Royal Assent, for the relief of the suffering clergy of Ireland. The noble Duke was well aware that the question of tithes was referred to a Committee of that House, and he hoped that the Committee would soon be able to make another Report.

The Duke of *Buckingham*: Does the noble Lord mean to say that the Committee will make another Report soon.

Viscount *Melbourne* trusted so.

Parliamentary Reform—Bill for England—Third Reading.] Earl Grey moved the Order of the Day for the Third Reading of the Reform of Parliament (England) Bill, and the Order having been read, the noble Earl moved that the Bill be now read a third time.

The Earl of *Winchilsea* said, he suffered a pain of mind greater than he could express in thinking that he had lived to that hour to witness the downfall of his country. That night would close the first act of the fatal and bloody tragedy. It would close the existence of that House as one branch of the Legislature, for its independence, which was its brightest ornament, had fallen, and without that independence it might be considered as having ceased to exist. Those who might live to witness the last act of the tragedy, would have to tell of the downfall of the Monarchy, in which case he trusted that the daring and wicked spirits with whom the revolution commenced might awaken to a sense of the ruin they had wrought. He prayed to the Almighty, whose Providence had so long been extended over this country, that those who had brought down this judgment upon the land might be cast off, and that those who survived might live to see the insulted laws of their country most amply vindicated. This country had arrived at a degree of prosperity above that of all other nations which had ever existed, under that Constitution which was now to be sacrificed at the shrine of ambition. When he considered that the only cause of offence given by the Constitution was, that it had enabled the country to withstand the spirit of revolution and infidelity, which, cherished in France, had spread itself to our shores, and which, though quenched for a time, was never wholly subdued, but now o'er-blackened the land and threatened to sweep away, as it had done in France, every principle of government, in order to make way for a military despotism—when he reflected that this Constitution had enabled our happy isle to stand erect in the storm, and secure, not only its own liberties, but lend its aid also to weaker Powers—when he reflected that this Constitution it was, which enabled an illustrious Duke not then present to plant the proud banners of England on the walls of Paris—and to rescue France from the tyrant grasp which swayed its destinies and the destinies of Europe; when he considered all this, what language could describe his feelings at seeing this Constitution levelled with the earth? When the noble Earl (Grey) took the reins of Government, he (Earl Winchilsea) had offered the noble Earl his support; for he had the utmost confidence in his talents, and in his affection for the institutions of his country. He regretted that he had been deceived. He was one of those who had traced the noble Earl through his career, and had differed from many of his friends in the opinion he had formed of the noble Earl's attachment to the national institutions; and would to God he had followed the advice which those men then offered to him, for it would have saved him from the pangs he felt for having ever supported the measures of the noble Earl. When the noble Earl first took his seat as Minister, he made an *expose* of the principles of his Government; but how far he had adhered to those principles he would leave the distracted state of the country to bear witness. He had encouraged, indirectly, the spread of seditious and revolutionary doctrines and proceedings, by not taking steps to prosecute or suppress them. There was no period of the history of the country in which, during the same short time, it had experienced such disasters as during the existence of the present Ministry. The principle of non-interference was departed from, although the present sovereign who swayed the sceptre of Portugal had as much right to be chosen to that dignity as the present sovereign of France. Having heard the declarations of the noble Earl, of attachment to the monarchy, and to both branches of the Legislature, and when he perceived now the downfall of the Constitution and of their Lordships, as a branch of the Legislature, he was lost in amazement at the delusion which had so far come over him as to offer his support to the authors of the ruin. In casting his eye over a speech delivered by a statesman now no more—he alluded to Mr. Canning, whose words must be well known to their Lordships, and whose authority had deserved great weight with them—Mr. Canning, in that speech, explained the mystery, for he showed that Reform was but a mask for the purpose of establishing a democracy. He would have voted for a bill to reform the Representation of the other House of Parliament, and he intended to support one with that view; but he never could consent to give his sanction to so revolutionary a measure as that which was now before their Lordships. He feared greatly for the consequences which this Bill would entail upon the country; he was not without a hope, that, ere long, the good sense of the people would be manifested. He had but one motive in his public life, and that was, to endeavour, as far as his humble efforts could effect it, to promote the welfare, prosperity, and happiness of his country, by upholding those institutions which had made England the greatest nation of the known world.

The Earl of *Harrowby* rose and said, that he remembered, a good many years ago, to have heard a story told of a Member of the Irish Parliament, who, after putting several questions to the members of the Government without obtaining any reply, addressed himself to the Speaker and said (if the record were correct), "Mr. Speaker, are we in the Irish Parliament, or in a Turkish Divan? Are we to be strangled by mutes?" The noble Lords on the other side of the House appeared to wish to show their sense of the degradation to which they had reduced the House, by not deigning to reply to a speech which certainly deserved a reply. He had lately abstained from taking any part in their Lordships' proceedings, from a sense of intense disgust. He could hardly account to himself for having so far surmounted that feeling as to allow himself to appear amongst their Lordships upon the present occasion; but, as he happened to be present at what he considered the first act of the drama which Ministers were engaged in performing, he felt that he should not act consistently with his duty if he allowed the House to separate without addressing a few observations to them, in order to express the sense which he entertained of the situation in which the country was at present placed, the means by which it had been brought into that situation, and the consequences which in his conscience he believed would result from it. His feeling of intense disgust was also accompanied with a feeling of poignant regret. He had frequently stated that he considered the mere introduction of such a Bill as that now upon the Table, under the authority of the Crown and the Government, as a severe blow to the monarchy and, that its subsequent second adoption by the other House of Parliament, and in a great degree, by at least all the clamorous part of the country, rendered the effect of that blow almost irremediable; yet he thought—nay, he entertained a confident hope—that such amendments might be introduced into the measure, as without trenching on any one principle which their Lordships admitted by agreeing to the second reading, would have permitted him conscientiously to have voted for the third reading, as, under such circumstances, he certainly intended to have done. He anticipated that the amendments would have rendered the Bill, not safe, but much more safe than it was in the shape in which it was originally introduced, so as to have allayed the reasonable alarm with which some persons contemplated the measure, and to have satisfied the reasonable expectations of those who were the greatest advocates of an extensive change in the Representation of the country. He had flattered himself, that if that part of the representative system upon which he on a former occasion pronounced what he at the time called a funeral elegy, but which had become odious to the people, were removed, the practical advantages which had resulted from it would be counbalanced, if not outweighed, by the satisfaction of public opinion; and that portion of the scheme he did not intend to have opposed. He thought also that if two Representatives had been given to the boroughs in schedule B, a better chance of obtaining an entrance to Parliament would have been afforded to a large class of persons, who from various circumstances were unable to face the expense and trouble of contested elections amongst large constituencies, but whom all history had proved to be the most efficient and useful Members of the House of Commons. He flattered himself, that by some other alterations—by consolidating the metropolitan districts—by adding two Members to Middlesex and two to Lancashire—they might have avoided the extreme inconvenience, which would be found fatal he believed to the prosperity of some of the towns which were enfranchised by the Bill, having continually election contests in places to which only one Representative was given. He was likewise of opinion, that by abstaining from all attack upon the 10*l.* qualification, although the noble Earl said, that it was no principle of the Bill, but by surrounding it with cautions—by avoiding the constant agitation and uncertainty which must arise from an annual valuation—by requiring somewhat more of residence, and making the payment of taxes be regulated by the poor-rate—they would have accomplished the object which the noble Earl declared himself to have in view, namely, the securing of the most independent and respectable class of voters amongst those to whom it was proposed to extend the franchise. He likewise believed, that by preventing persons resident in large towns from voting in county elections, the county representation and the agricultural interest would have obtained a compensation, which was now given to them in name, but not in deed. He would not fatigue the House by entering into any further details of the scheme which he would have supported, and which he once hoped would have been adopted. At all events, he believed that it would have been discussed by an independent House of Lords. On what were his hopes and expectations founded? On the speech of the noble Earl at the head of the Government which induced many noble Lords to vote for the second reading of the Bill. The noble Earl then, in repudiating an accusation brought against him, of attempting to dictate to the House, said that the phrase which he used on a former Session, and was supposed to bear that construction, had been misunderstood—that to any proposition which touched upon the principle of the Bill he would decidedly object, but that the decision was in the hands of their Lordships. The decision was in the hands of their Lordships! Those words bore only one intelligible meaning, but from what had taken place, it appeared that the noble Earl meant that if their Lordships decided in a particular way, there was to be an end of their independence for ever. That was the freedom which the House was to be allowed. Upon another occasion, when the noble Earl was accused of an intention to advise the Crown to make an extraordinary exercise of its prerogative, he stated the case in which he should think it necessary to adopt that line of conduct. The noble Earl admitted, that such an exercise of the prerogative was an evil, and was only to be justified in an extreme case of great necessity. What was the case of necessity stated by the noble Earl? It was an open collision between the two Houses of Parliament, upon a point with respect to which the opinion of the people supported one House against the other. The noble Earl's declaration was to be found in those records of their Lordships' discussions to which it was usual to refer, whatever might be the degree of authenticity which was attached to them. His own individual recollection of the noble Earl's statement, induced him to believe that the noble Earl went further, and stated, that, even under those circumstances, the case would not arise until there had been a fresh appeal to the people—that was to say, until a fresh House of Commons had been elected. It was, however, sufficient for his purpose to take the noble Earl's declaration to have been, that the extraordinary exercise of the prerogative should only be resorted to, in order to prevent an open collision between the two Houses of Parliament. That being the case, it was necessary to consider how it could arise. Could it arise until their Lordships had gone through the whole Bill, and made all the amendments which their wisdom might suggest? It might, perhaps, have been grating and galling to the feelings of the noble Earl, to sit in that House, the phantom of a Minister, and see the Bill mutilated under his eyes; but, if he resolved to take his stand, he ought not in reason to have done so upon a point which never could have produced the consequences which the noble Earl had referred to, as justifying the extraordinary exercise of the prerogative. The noble Earl took his stand upon a point respecting which the House of Commons might never have known any thing; and could, consequently, never have occasioned a collision between them. It could never have appeared before them in a shape of which they could have taken any notice, because the Bill, when returned to them, would have retained its preamble, and schedule A would have stood in its original position. The case which he had supposed the noble Earl to have put, could not possibly have arisen in consequence of the vote which their Lordships came to, relative to the disfranchising clause. There were two or three noble

Lords who objected to the disfranchising clause, upon a ground with which he never concurred; namely, that it was an unjustifiable spoliation of property; but every other noble Lord who spoke upon the occasion, expressed his readiness to admit the principle of disfranchisement, and some of their Lordships went so far as to say, that they would extend disfranchisement further than it was carried by schedule A, if it should be rendered necessary by the decision to which they should come respecting enfranchisement. How was it possible for any man to conceive that the mere postponement of the first clause of the Bill would be considered a ground for calling for the exercise of the royal prerogative? The same thing had been proposed elsewhere. The postponement of the schedule was moved in the House of Commons, and, so far from being considered a breach of the principle, or an attack on the vital principle of the Bill, it was treated as a matter of perfect indifference, and the only reason which was urged for not agreeing to the proposition, was, that as schedule A stood first in order in the Bill, it might as well be considered first. He declared, with perfect sincerity, that if, after the case which the noble Earl had stated, any person had, before the event occurred, suggested the possibility of the noble Earl's advising the extraordinary exercise of the prerogative on account of the postponement of the first clause, he should have indignantly vindicated the character of the noble Earl from what would have appeared to him a base calumny. He never could understand that any principle was involved in the order in which the clauses were to be considered. Those who opposed the disfranchising clause as an act of spoliation, might, with some colour of reason, argue that a principle was involved in conceding that that part of the Bill ought to be first considered, and some allowance ought to have been made to the scruples which they entertained on that point. As to what had passed after the vote to which their Lordships came, as to the nature of the advice which the noble Earl tendered to his Majesty, and as to the consequences which had resulted from that proceeding, these were all subjects on which he knew not how to express himself with decency, and in conformity with the orders of the House. He was willing to leave them to the decision even of the present day, when the people should have recovered from the excesses into which they had been driven. The advantage which was taken of the vote of the House was a skilful party manœuvre. It was known what impression the proceedings of the House would make upon the country. It was known that, although the truth might be discovered at last, the first impression out of doors would be, as indeed was stated in almost all the public prints, that schedule A had been rejected, and that thereby the Bill itself had been virtually rejected. The question was treated, not as one of order, but as one of principle, and the noble Earl's application for the exercise of the royal prerogative, in order, as it was alleged, to secure to the country the benefit of the measure, was, he must repeat, a skilful party manœuvre, and it was eminently successful. That success he did not envy. He envied not the triumph which the noble Lords had obtained in such a cause, and by such means. The noble Earl and his colleagues had trampled on the Crown, and on the House of Lords; but, by their conduct they had excited, encouraged, and fostered a power which would trample upon them. The noble Earl and himself, whose age was about alike, could hardly expect, according to the usual course of human nature, to witness the full consequences of the measure, but there were other noble Lords in that House who would. If means were not taken to vindicate the authority of Government—he meant the authority of any Government, for it was not the noble Earl's Government that he particularly alluded to—if means were not taken to check that spirit which had already achieved a great work, it would acquire a power which would enable it to achieve other works of far greater importance, and of danger to the Constitution. The noble Earl had raised a spirit which was incompatible with the peace and quiet of the country, and with his own security. When the noble Earl showed any disposition to dam up the torrent which he had let loose, he would find no workmen to assist him in the task. There was only one feeling of consolation, and it was of a melancholy nature, which arose from the manner in which the Bill had been carried forward and concluded. The whole responsibility of the measure, for good or evil, rested with the Ministers.

It was they who had brought the country into its present peril: he prayed to God they might have wisdom to extricate it. On them rested the whole responsibility. That the issue of their labours might be successful, he, as every one must, sincerely hoped, though he did not expect it. He did not, any more than the noble Earl who had last spoken, remain without hope. Our history presented many memorable instances of the astonishingly elastic power of the good sense displayed by the people of England. There were persons who possessed stomachs so strong, that they were able to convert poison into food; but that poison must not be administered in too large doses, day by day, and hour by hour, or the strongest constitution that ever existed would sink under such treatment. Long-continued excitement and agitation would, in the same way, produce the dissolution of society. When the Bill should be passed, the country would possibly be lulled into a state of temporary quiet, and he trusted that Ministers would immediately turn their attention to the means of providing for the continuance of tranquillity. He had hoped to have assisted in bringing the question to a satisfactory conclusion, by cautiously steering between the extremes of both parties; but, as he had stated, he had been grievously disappointed by the conduct of the noble Earl.

Earl *Grey*, in his state of health, (and he was afraid his indisposition would be apparent to their Lordships before he sat down) and at that stage of the Bill, had hoped he should have been spared the pain to himself, and the trouble to their Lordships, of addressing them at all. But, after the speech of the noble Earl, he could not avoid standing up, not so much to vindicate the measure, as his colleagues and himself. Were the attacks personal to himself, he should certainly not have occupied a moment of their Lordships' time in the discussion; but, as they involved the character of the Government, he felt that neither in justice to the Sovereign nor himself could he remain silent. He was willing to meet the noble Earl, and would endeavour to answer his charges to the best of his ability, trusting that he should be acquitted in the opinion, not only of the present generation, but of that posterity to which the noble Earl had alluded, of having pursued aught but the path of honour and of duty—or of having been led away by any sinister bias of an ill-regulated ambition from discharging the duty which he owed to his country. He did not shrink from the responsibility attached to the present great and important measure. He trusted, that posterity would do justice to his motives, and be convinced that the measure was founded on the ancient principles of the Constitution—was an efficient remedy for the abuses that had grown up in the working of these principles—and, above all, that it was a measure necessary to the preventing the alienation of the people from the representative branch of the Legislature. Yes; the present measure was brought forward with no other view than to repair those abuses in the working of the Constitution which were incompatible with good government, and, he might add, with the prosperity of the country. It was brought forward to meet the exigencies of a necessity which the present Ministers had no hand in creating; and as to the manner in which it had been advanced to its present stage, he would leave it to every candid man that had attended to the proceedings which he should now have to recapitulate, whether it deserved the designation of a "skilful party trick," or political manœuvre, imputed to it by the noble Earl. The commencement of the noble Earl's attack was so extraordinary and contradictory, that he hardly thought it worth a serious refutation. The noble Earl complained that Ministers sat during the several discussions on the present Bill as so many mutes, from whom no information or argument could be elicited. Without meaning any incivility towards the noble Earl, whose fervour with reference to the Bill he believed to be sincere, and whose alienation, after the too short connexion, he regretted, he must say, that he should feel ashamed to trouble the House with a repetition of the several arguments which had been so often produced in favour of the present measure, by way of answer to the noble Earl. He, therefore, would confine himself principally to the personal attack, or charge, that had been made upon his consistency. The noble Earl (the Earl of Winchilsea) reminded him of a declaration which he had on a former occasion made, "to stand or fall by the order" to which he belonged, implying that his recent conduct was contradictory to that declaration, and so far inconsistent with his duty as a member of that House, and as a servant of the Crown. "In answer to the noble Earl," continued Earl Grey, "I can only say, that I may have erred—may have mistaken the wisest course—may have judged ill; but this I declare before your Lordships and the country—and I expect credit with the public for the declaration—that my opinions with respect to the constitutional importance and privileges of the order to which I belong, are the same now that I have ever held, and that I shall endeavour to support and defend with my utmost power, those institutions under which the country has reaped a glory and prosperity to which no other nation on the earth can furnish a parallel. But there are times and seasons when something more is required of every lover of the institutions of his country, than vague, idle, and declamatory expressions of admiration of them; and I have been taught to believe, that it is the business of a Statesman to watch and provide for those times and seasons. The Constitution of this country is admirable; it has stood the test of time. Yes, but it has also proved the humanity of its origin, by yielding to the influence of time—time, the great innovator, as Lord Bacon designated it, with his characteristic force of expression—time, which generates abuses, against which it is the duty of those to whom are intrusted the affairs of State to provide a remedy. Ministers, in bringing forward the present measure, were merely providing against those abuses which the great innovator had introduced into the Constitution, and so far proved themselves its best friends and preservers." It would not do (the noble Earl continued), to declare that the Constitution was beautiful in theory, and worked well in practice, while the people who lived under that Constitution, felt that it was disfigured by abuses; and it would not do to put off the remedy till it might come too late. It was well observed, by an able writer, that the enlightened anticipation of changes and remedies was the highest attribute of a Statesman; and surely he must be blind to all that was passing around him, who would maintain, that Reform could be much longer deferred, with safety to the very existence of the institutions of which, if timely in its application, it would be the only conservative. Such was the state of the country when his Majesty did him the honour to call him to his Councils. Their Lordships might remember, that a very few weeks before that event, and when, indeed, he had not the remotest expectation or wish of office, he had explained to them, as emphatically as he could, his opinions on Reform, and other public questions. They might remember, also, that he then stated, what many of their Lordships indeed knew, that they were the deliberately formed and fixed opinions of his public life—those from which it would be impossible for him to swerve; and, therefore, when he was called upon by his Majesty to assume the functions of the executive, he could not, in the face of his recent declaration, and of his long-cherished and emphatically recorded opinions—for he was one who attached some importance to consistency of conduct in public men—he could not accept of office except upon the condition of acting upon those opinions. He did not shrink from acquainting his Majesty with the precise nature of those opinions, adding, that any Government, of which he was a member, should take them as the basis of their policy. Among those opinions, there was none to which he attached more, or so much importance, as that which he held on the subject of Reform in Parliament (at a proper time he should be prepared to vindicate his conduct with respect to the other questions alluded to by the noble Earl (the Earl of Winchilsea) opposite; and accordingly it was an indispensable condition of his accepting office that he should be allowed officially to bring forward a measure like the present. That condition was graciously acceded to by his Majesty, and the present Administration was formed. He need not then go over the ground on which the present measure was introduced. With one remarkable exception, the necessity of some measure of Reform was admitted by noble Lords on both sides of the House; and even the noble Earl himself had declared, that a conviction of its necessity forced itself upon his mind as a necessary result of the Catholic Relief Bill. But then it was said, that though they all admitted the necessity of Reform, he was to blame for having gone such lengths in its application. This, he would say, was a matter of opinion—of personal judgment. He had endeavoured to exercise his faculties according to the measure of reason with which God had blessed him, and had arrived at the conclusion that it should be the main object of a measure like the present, that it should be of such an extent and character as would, by affording general satisfaction, set the question at rest, and prevent all further agitation. But then they were told over and over again, that it was a sweeping and a revolutionary measure—that it would be the downfall of the Constitution—that, to quote the words of the noble Earl (the Earl of Winchilsea), it was the first act of a bloody tragedy; the noble Earl thanking God that as yet no blood had been shed, in a tone that savoured, he thought, more of disappointment than regret. All he would say, by way of reply to this vague declamation was, that he thought it was a little hard, that when all had agreed with him as to the principle of that Bill, he should be so séverely censured on a question of degree. When the Bill of last Session was unfortunately rejected by their Lordships, but one of two courses remained open to him. He said unfortunately rejected—he did so advisedly; for he was confident that the question might then have been settled on terms more generally satisfactory than at present, and the country thereby saved from all the inconveniences and embarrassments occasioned by the protracted delay. But that was not the present question. The point to which he was anxious to direct their attention was, the course he was bound to pursue when their Lordships had rejected the Bill. It was plain that, pledged as he was to the principle of the rejected Bill, he could not, consistently with the duty which he owed to himself and his country, retain office unless with a view to carry a measure of equal efficiency. Office had no charm for him, nor, indeed, for any of his colleagues; but they thought it to be a duty which they owed to the public, not to throw up office while there yet remained a strong hope of their being able to accomplish the great object for which they had consented to undertake its duties; and they had such a hope, founded on the conviction, that whenever a strong and universal opinion prevailed throughout the country, on any question of public interest, it could not be long till it was participated in by the Legislature. Accordingly, another Bill, of equal efficiency, was produced this Session, which, as they all knew, passed a second reading by a small majority of their Lordships, and this brought him to the charge of the noble Earl, with respect to the proceedings in the Committee. The noble Earl had arraigned him for having departed from the principle of a former declaration, and for having resigned office upon a point of comparatively little importance. The noble Earl had not correctly stated his (Earl Grey's) opinions with respect to the emergency which might justify the creation of a large number of Peers. He certainly did say, that such a creation was a great evil, which should only be had recourse to to prevent the far greater evil of a collision with the House of Commons; but he never did say, as the noble Earl had asserted, that another dissolution should take place, in order to put beyond doubt the strength of public opinion with reference to the measure which had occasioned the collision. What he said was, that if the House of Commons should, after their Lordships rejecting, for a second time, a Bill sent up from that House, persist in asserting the opinion expressed by it with reference to that Bill, and that it should appear that in the event of an appeal to the country, it was not probable that another House of Commons would be chosen less zealous for Reform, then, in his mind, the emergency had arrived which would justify that exercise of the prerogative by which only a serious collision between the two Houses could be prevented. He would ask, was there any candid man who could shut his eyes on what was passing around them, and deny that the only result of a dissolution of the present House of Commons would be, the election of one still more pledged and uncompromisingly zealous for Reform? And, such being the fact, he would further ask, had not the emergency arrived which, according to the best constitutional authorities, not only justified, but imperatively demanded, that exercise of the prerogative to which he had alluded? The noble Earl (whose age, according to himself, was pretty nearly equal to his own) could not have forgotten the debates which took place on the Regency Bill, when the first constitutional authorities in the House of Commons declared that the proposition to restrict the Regent or the Crown in the matter of creating Peers would be to enable the House of Lords to do that, which it was now alleged a contrary course would effect—namely, trample upon the Crown. But this was not new doctrine, and the only question was, had the emergency arisen which called for the application of the prerogative? He would say it had; for he would ask the noble Earl, whether it was prudent or statesman-like conduct, if he saw that a danger was impending, and saw, as he did, the situation of the country as indicated by public events, and the force of public feeling, to wait till the danger had actually occurred, and that public feeling became, perhaps, uncontrollable? Certainly not. It was plain, then, that after the adverse decision of their Lordships, with respect to the disfranchisement clauses, he had no other course but to tender his Majesty the resignation of his office, unless means were afforded him of preventing a collision between the two Houses of Parliament, which must have led to the most fatal consequences. But, said the noble Earl, why resign on a matter of so little importance as a mere selection of one part of the Bill before another? He denied that it was a matter of little importance, and would maintain that the question at issue was one of great importance to the integrity of the measure itself. Every man who had attended to the debate on the noble and learned Baron's (Lord Lyndhurst's) motion to postpone schedules A and B till the enfranchisement schedules had been disposed of, must admit that the effect of that motion was to take the management of the Bill entirely out of the hands of those who had, on their responsibility, introduced it, and to place it in the hands of those who were its avowed enemies. This it was, that made him take a firm stand against the proposition, and not a morbid sense of mere personal dignity; it was, in fact, from a conviction that, under such a change of management, the Bill would be mutilated and impaired so as to revolt public opinion, not only from the actual mutilators of the measure on which the nation's heart had been so long and eagerly set, but also from himself and his colleagues, who, by sitting as spectators while the process of mutilation was going on (which, for want of means they could not prevent), would become "mute" participators. It was, he said, from a conviction of this fact, that he hastened to tender an advice which only could prevent that dangerous collision between the two Houses to which he had more than once alluded. The proposition which had led to his resignation, he repeated, was not one of form, but of principle. Public opinion had long pronounced the nomination boroughs to be the most practically pernicious of the abuses of the Representative system; and, as schedules A and B contained the most efficient remedy for those abuses, they were justly regarded by the friends of the Bill as its most important provisions. He was aware of the panegyrics that had been lavished upon the advantages of those close boroughs, as channels through which talent, unattended by rank and wealth, found its way into Parliament. He did not deny that such had been the case in many instances, though it did not follow that those men of talent would not have found their way into Parliament by other and more constitutional means, but he would contend that, as a whole, this nomination system had been productive of much practical mischief to the public interest. Then it had been said, that the House of Commons "worked well." It did not—it could not; and for this simple reason, that no such institution could work well for the public which did not enjoy the public confidence. The House of Commons, as at present constituted, did not enjoy the public confidence, chiefly because the people felt, that a majority of its Members were not their own freely chosen and responsible Representatives, but the nominees of the proprietors of the close boroughs; and, therefore, the disfranchising schedules were regarded as the most important features of the Bill. And here he could not but remark upon the strange and inconsistent objections of noble Lords opposite to these schedules. One noble Lord told them, amid the cheers of his party, that to disfranchise a single borough set down in schedule A was an act of spoliation, that tended to subvert the security of all existing institutions; and yet, in the same breath, the noble Lord pointed out several boroughs in schedule B which he declared ought to have been placed in schedule A—that is, to be disfranchised altogether. Other noble Lords objected to schedule B, and that, too, while they held that each borough in schedule A should continue to return two Members. Let noble Lords propose any borough they pleased for total disfranchisement, and he would be prepared to entertain the proposition, but let them not condemn as revolutionary a partial disfranchisement, while they themselves advocated entire disfranchisement. But to return to the learned Baron's motion. He might appeal, he believed, to the noble Earl himself—certainly to many noble Lords near him—whether, till that learned Lord had announced his proposition, he (Earl Grey) had any knowledge of its character, or had had any intimation till he came down to the House that evening that such a motion was in preparation. So far was he from receiving it as a matter of little and unexpected importance, that he had stated, when the possibility of such a proposition was thrown out in conversation, that it was one that could not for a moment be entertained by Ministers. He would not impute motives to any person, but he would appeal to the candour of every honest man, whether the manner in which that motion was introduced, and still more the manner in which it was supported by those who had avowed themselves to be the uncompromising foes to every species of Reform, or the conduct which he felt it his duty to pursue in consequence of their Lordships having outvoted him on that motion, which was the more obnoxious to the imputation of being a manœuvre or a party trick. He would leave it to an enlightened public to answer the question, and would merely observe, that he felt that he should abandon his duty if he intrusted the Bill thus into the hands of its enemies. No choice, therefore, was left him as an honest Minister; and knowing, as he did, the danger, under the strong excitement in which the public mind had been kept, by the delay in the progress of the great measure to which the nation looked as the essential condition of good government, of a breach with the other branch of the Legislature, there was no alternative but for him to obtain the means of carrying that measure through that House in all its efficiency, or to resign his office. "We followed the only honest course, and the consequence was, our resignation. And for doing this," continued the noble Earl, "I have been charged with having trampled upon the Crown and this House—I—I trample on the Crown—I, holding opinions, perhaps prejudices, as dear to me as my heart's blood to my life—I trample on this House—I, who have ever held, and shall ever hold, that the independence and privileges of your Lordships are essential to the permanence of the institutions of my country—I to be told these things, when following a course of duty which in my conscience I believe was the only means of averting immediate danger, and I should fear destruction, to both the Crown and this House—it is indeed too bad!" If those who had declared themselves adverse to every measure of Reform (the noble Earl continued) were willing to return to office on the terms of carrying a particular plan, how much more was he bound to avail himself of every constitutional means of carrying that great measure which he and his colleagues had introduced on their responsibility! If he had reason to believe that those persons would come back to power—if public opinion would enable them to "rescue his Majesty from the emergency in which he was left all alone" by his cruel Ministers, why should he shrink from doing that which it was plain those benevolent and disinterestedly consistent persons would have done if they could? He and his colleagues, therefore, returned to office with a well-founded hope, which he trusted a very few hours would realize, of bringing this great and important question to a successful issue—an issue on which, he repeated once and for all, he conscientiously believed that the security of the Throne, the independence of Parliament, and the peace of the country, essentially depended. He was free to confess that when going into Committee he was disposed to yield to any suggestion from the opposite side of the House which was compatible with the general efficiency of the Bill, even though it was of a character which he might not individually approve of, in order to avoid opposition as much as possible. The Bill had passed through the Committee without alteration, but not, as the noble Earl had stated, without full explanation of its provisions on the part of Ministers. When the noble Earl was taunting Ministers with being silent as mutes, he should not have forgotten, that the statement made in defence of the most important provisions of the Bill had been admitted by opponents to be convincing; and particularly the statement of his noble relative, in defence of the metropolitan districts, had produced a strong effect on even the most doubting. The 10*l.* rate, which on a former occasion was condemned by two noble Lords (Wharncliffe and Carnarvon) to be a perfect Universal Suffrage democracy, was now admitted to be unexceptionable, and all that was wanting, it was stated, was, to guard against its being abused. Any other explanation Ministers were ready to furnish. He trusted, that the Bill would receive their Lordships' sanction that evening. What its results might be no man could take it upon him to predict positively. His own expectations were sanguine. He was sure of this one thing—that Reform could not be longer withheld—that, to quote the words of an eminent Statesman of the last century, "if Parliament did not reform itself in time from within, it would be reformed with a vengeance from without." And let their Lordships consider the state of public feeling with respect to this great measure; let them consider how long the public mind had been eagerly fixed on its settlement; let any man, considering these things, and who had observed the excitement of the public mind during the few days that intervened between the resignation and resuming of office by the present Ministers, put his hand upon his heart and say, that great danger would not be the inevitable result of an unsatisfactory or protracted issue to this great question. He had said, and the declaration had given rise to something like a taunting cheer on the other side of the House, that it was not for short-sighted humanity to predict the future consequences of this Bill. It was not; but there was every reason to hope, that while the abuses and excrescences which impeded the free working of the Constitution would be removed by the Bill, the interests and intelligence of the people would be faithfully represented, and all the great manufacturing, agricultural, and trading interests of the country would be protected, while the Aristocracy and other privileged orders of the State would be invested with a due weight, and all classes and branches of the community would have but one common object—the promotion of general and individual interests. He trusted, that when the agitation consequent upon the delay in the progress of the Bill should have passed away, and when the angry passions on both sides should have abated, and all things should have re-assumed a temperate and uniform course, the national energies would develope themselves in new and increasing elements of national prosperity. He trusted that the noble Earl (the Earl of Winchilsea) would ere long be happily disappointed in his ominous forebodings. He could assure that noble Earl, that no man would more zealously lend his aid to putting an end to those irregular proceedings which the noble Earl justly condemned as prejudicial to the public good. He did not hesitate to declare, that the systematic establishment of Political Unions could not co-exist with regular government, and, therefore, it was the duty of the Government to remove those causes which imparted to these Unions an active, but temporary existence. But it should be remembered at the same time, that Political Unions were not of modern growth—that they existed long before the present excitement. The noble Earl might remember the celebrated General Association, which existed at the end of the American war. Neither the noble Earl nor himself was then in Parliament, but both were old enough to recollect the formidable character of that Association, with its delegates permanently sitting in London, and its corresponding associates all over the country—supported, too, by Mr. Pitt, then in all the enthusiasm of his first love for Reform. That Association passed speedily away, because the grievance which had given it birth had been remedied. And such he sincerely believed would be the case with the Political Unions, which the abuses and corruption in the representative branch of the Legislature had called into existence. He repeated, that he was convinced, that when the Reform Bill had begun to produce its beneficial results, they would hear no more of the Political Unions. He confessed he was not inclined to effect their suppression by any new and severe laws, and he was the less encouraged to make the attempt, by the experience of the last thirty years, which shewed that it was not easy to put down the expression of opinion by severe measures. The remedy he proposed was of a very different character. He trusted in the good sense of the people of England—he trusted in their attachment to the Constitution—he relied on the firmness of Parliament for the vigorous enforcement of such laws as might be necessary to place the Government in that position of strength and security in which it was the interest of every man, from the highest Peer to the lowest mechanic, equally to see it placed; for every subject, be his rank or calling what it would, possessed an equal interest in good order as the essential condition of good government. He trusted that those who augured un-favourably of the Bill would live to see all their ominous forebodings falsified, and that, after the angry feelings of the day had passed away, the measure would be found to be, in the best sense of the word, conservative of the Constitution. [The noble Earl terminated his speech abruptly, in consequence of the indisposition of which he had complained at its beginning.]

Lord *Wharncliffe* was willing to give the noble Earl full credit for the motives with which he had brought forward the present Bill, but still held him responsible for having voluntarily, and he would say wantonly, placed the country in its present dangerous state, in order that he might carry a favourite measure, in spite of the well-founded objections of a large majority of their Lordships. He had ever admitted that the cry and demand for Reform were so general, that the peace of the country could not be preserved without a satisfactory yielding to that demand, but he would maintain, that the noble Earl, had in the present Bill, far exceeded the necessity of that demand. There were other interests to be consulted besides those of the party who made a stalking-horse of Reform for their own purposes, and it was the duty of the noble Earl to have particularly ascertained whether it was practicable to carry such a measure through the House of Lords before he mocked its deliberative independence by the course which he had pursued within the last few weeks. He admitted that no Administration could have come in without adopting a measure of Reform of Parliament; but this measure went beyond what was required, and the result would be, that there would be a great difficulty in getting back to a state of tranquillity. Parts of the Bill would sow seeds of constant discontent; parts of it were unjust. At the same time he did the noble Earl the justice to say, that there was no need of his disclaimer, for he did not believe that the object of the noble Earl was to attack the institutions of the country. The measure had been now brought to a point, that the Bill must pass into a law; but was not the vote of this House upon it overborne by the people and by the other House? Could their Lordships deny, that force had been put upon them? And if that was not, what was a revolution? Their Lordships had a right to give their votes independently, and according to the best of their judgment; but they were deprived of this, and by what? By violence and by nothing less. Let not their Lordships deceive themselves; let it not be supposed, because their persons and their property were safe, that when they were deprived of the means of judging of this measure, the House had not been forcibly obliged to vote for it. Not only had this House been forced, but a great proportion of the property of the country had been forced into a consent to this Bill; for, though they might wish for a Reform, a great proportion of the persons of property in the country were against this Bill, and the extent to which it was carried. It was not a question of Reform, but it was a question as to the extent of it; and nothing but absolute force could make this Bill pass. The noble Earl, in answer to his noble friend below him, who had referred to the noble Earl's declaration respecting the contingency of a creation of Peers, in consequence of an actual collision between the two Houses, now talked of a probable collision; but that word "probable" made a considerable difference. No such word was used by the noble Earl on the former occasion. The noble Lord then read an extract from a speech of Earl Grey, in which the noble Earl, after saying that a case might arise in which such a measure as a creation of Peers might be advisable, continued—'He would suppose a case in 'which there was a collision between the 'two Houses of Parliament, and in 'which public opinion supported one 'branch of the Legislature against the other. 'Now, in a case where there was a hopeless variance in opinion between the 'Houses of Lords and Commons on 'any important question, he must ask, how 'could this be set at rest but by the exercise of the prerogative—and by an increase being made to this branch of 'the Legislature? The exercise of the 'prerogative in such a case had been supported by all the great constitutional 'writers, and there was no doubt that 'the power was vested in the Crown for the 'purpose of preventing the danger which 'might arise from a collision between the 'two branches of the Legislature. More 'than this he did not think it necessary to say.'* He (Lord Wharncliffe) agreed, that when an actual collision had taken place between the two Houses, and there was no other course, such a measure might be expedient; but that case had not arrived, and it was not sufficient to talk of probability. How did the noble Earl know it would arrive? He (Lord Wharncliffe) firmly believed that no collision would have taken place. At all events, if there would have been a collision, it must have been known long before the Bill arrived at the House of Commons, and then there would have been a plausible reason for the measure. The only question then was, whether, when their amendments had been carried, if the other House refused them, there would have been a collision. The noble Earl had said, that the vote in the Committee respecting the priority of the schedules was a vote on the principle of the Bill. How could this be? They (the Opposition) proposed to postpone the disfranchisement till the enfranchisement was considered, in order to know the extent to which the disfranchisement need be carried. The whole principle of disfranchisement was in schedule A; there was no principle of disfranchisement in schedule B. Most of the noble Lords who spoke on that occasion, and who voted in the majority, said that to the principle of disfranchisement they were not enemies. As to the protest, of which his noble friend (Lord Durham) reminded him, if all the seventy Peers who had signed it had voted against schedule A, the principle of disfranchisement would still have been safe. Nothing had led him (Lord Wharncliffe) to believe that the postponing of the disfranchising clause was such a vital point as to have rendered it necessary for the noble Earl to have recourse to such a measure of extreme necessity. He had reason to think, that there was a disposition to give such a consideration to the Bill, that no amendments would be proposed that were not in unison with the principle of it. They (the Opposition) were all desirous to try to make the Bill safer than it was, and so safe that a considerable number of those who disliked it would have voted for it. It had been said, however, that this was a party trick, and those who supported the postponement had been represented to the country as if they had done something that struck at the root of the Bill. It was no such thing. After the step taken by the Government, in throwing up the Bill, the House of Lords, he might say, became a farce. He (Lord Wharncliffe) had thought it his duty to attend the Committee, and having voted for the second reading, on the understanding, that amendments might be made in the Bill, he had attended in order to suggest some amendments—their Lordships all knew with what effect. The noble Lords opposite had shown a determination not to give up points they might have given up. The noble Earl had talked of the fair discussion the Bill had in the Committee. So far as they (the Opposition) had been permitted to talk and to propose amendments, the Bill might be said to be discussed. But he denied that there had been anything like fair discussion. They all the while knew that they had been reduced to that state, that the independence of the House had been totally and entirely destroyed. All that he would now say was, that he hoped the noble Lords opposite, when the Bill had passed, would turn their attention to the state of the country, and to its state of agitation. The noble Earl had said, that he regretted the existence of the Political Unions, but that the settlement of this question would put an end to them. He (Lord Wharncliffe), however, very much doubted whether the settlement of this question would be the settlement of the Political Unions. When the Catholic Bill passed, the same hope was held out. Associations had existed in Ireland, and they were told, that if the food and *pabulum* of those Associations ceased, they would cease likewise. Experience, however, had proved that this was not the case; for, since Catholic Emancipation had taken place, Ireland had been kept in continual excitement, in the same spirit and with the same views as before. The Political Unions had acquired too great power to part with it; they had learnt their own force, and the noble Earl would find it difficult to put them down. Although some of them might declare themselves dissolved, the whole machinery would still exist, whereby their action might be kept up for carrying any other point they might aim at. He looked to the future state of the country with fear; with a Reformed House of Commons, continually excited by a Press possessed of enormous and excessive power, he could contemplate only a state of things in which the House of Lords would amount to nothing, and all power would be in the hands of the Commons. He had been long aware that nothing could stop the march of this question, and that it must be settled in a satisfactory manner;

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* Hansard (third series) vol. xii. p. 452-3,

and if his Majesty's Government had not had recourse to this violent measure, the question would have been brought to a shape which would have been satisfactory even to many of those who had opposed the Bill throughout. Now, however, that the Bill must pass, all he hoped was, that the predictions of the noble Lords opposite might be fulfilled. Looking to experience, however, he feared a different result, for he had never seen a case in which so great a power had been lodged in the democratical part of the Government, and the balance of the other parts had been preserved. If those noble Lords should prove to be right, they would deserve credit for their prognostications, but they incurred a heavy responsibility.

Their Lordships divided on the Motion. Contents 106; Not Contents 22—Majority 84.

List of the NOT-CONTENTS.

DUKES.

Gordon
Newcastle.

EARLS.

Dartmouth
Guilford
Malmesbury
Mansfield
Powis
Powlett
Roden
Westmorland.

VISCOUNT.

Gage.

BARONS.

Bexley
Carrington
Carteret
Delamere
Doneraile
Ellenborough
Grantley
Monson
Rolle
Strathallen
Willoughby de Broke.

Some verbal Amendments were agreed to, and the question "that the Bill do pass," was put and carried.

[A great number of Peers immediately crowded round Earl Grey, apparently to congratulate his Lordship upon the final success of the Bill.]

The following Protests were entered against the Bill.

The Earl of Mansfield's Protest.

"Dissentient.

"1. Because, though in the preamble to the Bill it is declared, that it is expedient to take effectual measures for correcting divers abuses which have long prevailed in the choice of Members to serve in the Commons House of Parliament, no abuses are described nor is any correction applied.

"2. Because though it is declared to be expedient to deprive inconsiderable places of the right of returning Members, the expediency is merely asserted but has not been proved, nor could this House be governed by considerations of expediency inconsistent with justice — we protest against the doctrine that any individual, or corporate body, can be justly deprived of any rights which have been legally enjoyed; whether the right be of the nature of an absolute property, or of a trust connected with property, consistently with the principles of justice which under all circumstances must be immutable, either delinquency must have been proved, or compensation must have been given before the sacrifice was exacted. Upon this principle Parliament proceeded in approving the purchase of the heritable jurisdictions in Scotland; and in a more recent and analogous instance, compensation was given by the Irish Parliament to individuals and to corporate bodies in Ireland, for the deprivation of their right of returning Members.

"3. Because, though it is stated in the preamble, that it is expedient to deprive inconsiderable places of the right of returning Members, and to grant such privilege to large and populous towns, no positive rule has been observed in defining them. If a preference had been invariably given to those towns which contained the greatest number of inhabitants, and which had paid the greatest amount of assessed taxes, some places which are now assumed to be most populous and wealthy, would have been excluded, and others would have been inserted in the list of those which are entitled to this privilege; and again, if a uniform rule had been observed in adding to the old boroughs such an extension of territory as would have given them a reasonable number of electors, some places now excluded as inconsiderable would have retained a portion of their rights.

"4. Because this House has been disturbed in the free exercise of its judgment upon these and many other objectionable parts of the Bill. For a noble Lord who had opposed the second reading declared in his place, that though he still objected to the Bill, he would withhold all future opposition to its progress, the House having been given to understand, that his Majesty's Ministers had resumed the offices which they had lately resigned, upon the condition that his Majesty would adopt their advice to create such a number of Peers as would secure the passing of this Bill, unaltered in its most important provisions; and further that noble Lord declared, that he adopted that line of proceeding by compulsion, preferring the passing of this Bill to the creation of Peers, which was considered to be a greater calamity, and there is reason to believe that other noble Lords were influenced by the same consideration. To the statement of the advice tendered to his Majesty, and of the consent obtained, his Majesty's Ministers gave no contradiction. It appears to us, therefore, to be our duty to protest against the passing of this Bill; the parliamentary forms have been observed, but the independent action of the House has been constrained by the apprehension of the danger to which it was exposed, and though the Bill, if it should receive the Royal assent, will pass into a law, yet as the validity of any Act which should have passed with the consent of only two branches of the Legislature would be justly questioned, so, according to the general principles of law, the free consent of the House of Lords cannot be assumed, and every deed or instrument executed under compulsion or threat would be illegal and void.

(Signed)

MANSFIELD.
MALMESBURY.
KENYON.
BROOKE AND WARWICK.
CARRINGTON.
REDESDALE.
ROLLE.
WINCHILSEA & NOTTINGHAM, *for the 4th reason.*
STRATHALLAN.
AILESBURY.
FEVERSHAM.
WILLOUGHBY DE BROKE.
GUILFORD.
MANNERS.
AYLESFORD.
COLVILLE OF CULROSS.
DELAMERE.
BUCKINGHAM AND CHANDOS.
MONSON.
PENSHURST.
SHEFFIELD.
ABINGDON.
GRANTHAM, *for the 4th reason.*
CARBERY, *for the 4th reason.*
NORTHUMBERLAND, *for the 4th reason."*

First Protest of Lord Melros.

"Dissentient.

"1. Because the principles of this Bill are carried to an extent that will give an undue preponderance to the popular branch of the Legislature, and by thereby endangering the privileges of this House and the legitimate power and prerogatives of the Crown, may in the end destroy that balance, on the maintenance of which depends the existence of the Constitution, and of the settled institutions of the country.

"2. Because, by reason of the great, long-continued, and alarming excitement of the public mind, a serious impediment has been interposed to a calm and deliberate consideration of the principles and details of the measure, whereas, without such consideration, extensive and fundamental changes in the laws and government of a country cannot be rendered safe and permanent.

"3. Because, by reason of the intemperate and unconstitutional advice offered to his Majesty by his Ministers (on occasion of the postponement of the consideration of the first clause of the Bill while in the Committee), accompanied by the tender of the resignation of their offices, and by reason of the embarrassments and difficulties in which the Crown has been thereby involved, so many Peers withdrew themselves from attendance on the service of this House during the further progress of the Bill, in conviction that the House was virtually precluded from the independent exercise of its functions, that the Bill has thus been carried almost unaltered, and under circumstances alike injurious to the public interest and to the honour, dignity, and independence, of this House.

(Signed)

Melros.
Malmesbury.
Redesdale.
Bradford.
Forester.
Winchilsea & Nottingham.
Gage.
Wharncliffe.
Skelmersdale.
Sydney.
Glengall.
Buckingham and Chandos.
Dartmouth.
Abingdon.
Doncaster."

Second Protest of Lord Melros.

" Dissentient.

" Because important amendments have been rejected by the influence of Government, which amendments did not in the slightest degree militate against any one of the three great principles on which the supporters of the Bill contend that it was founded. By one of these amendments it was proposed to enact, that no property within boroughs should confer on its possessors a right to vote for the county, while a compensation was to be given to such possessors, by conferring on them the right of voting for the place in which their property and their interest actually lay. This amendment was right and expedient, because it tended really to give to landed property no more than that just influence in county elections to which, by the spirit of the representative system, it is fairly entitled. It was the professed intention of the framers of the Bill to protect that interest by the increased Representation of the counties; whereas the Bill, as it now stands (this proposal having been negatived), bestows an undue preponderance, even in county elections, on the manufacturing and commercial classes of the community, and that in addition to the increased influence given to those classes by the enfranchisement of the towns and places enumerated in schedules C and D, and by the altered constituency of many of the remaining boroughs. The reasonable expectations of the agricultural interest, thus encouraged, have been disappointed in a manner as inconsistent with that sound policy which dictates that a just balance should be maintained between the several important interests in the country, as it is with that perfect fair dealing which should ever characterise all the proceedings of the Legislature and of the Government. The Bill amended, as proposed, would still have given much more to the manufacturing and commercial classes than the clause itself would have taken from them, and the influence secured by that clause to the landed property, though considerable, would not have proved equivalent to that of which it would still have been deprived by the Bill.

(Signed)

Melros.
Wharncliffe.
Gage.
Glengall.
Malmesbury.
Doncaster."

Protest of Lord Wynford.

" Dissentient.

" 1. Because, although desirous of extending the elective franchise as speedily, and as far as it can be extended with safety to the rights of property, and to the Constitution of the country, the great and sudden alteration which this Bill makes in the Representation of the people, is an experiment dangerous to the prerogatives of the Crown, the independence of both Houses of Parliament, and the rights and liberties of the people. Every advance made in the formation of a plan of Representation would have given security for its accomplishment, whilst the consequences of hasty proceedings can never be retrieved.

" 2. Because the elective franchise is, by this Bill, unequal and unjustly distributed; for whilst it gives to many of the inhabitants of represented towns double, and in some instances treble votes, it gives no votes to the householders of other towns and villages of equal, and many of them of higher, classes, although these unrepresented householders amount to half the householders of England and Wales, and are men of equal wealth, respectability, and intelligence, with the householders of the represented towns; thus the favoured towns will return an overwhelming majority of the Members for England and Wales, and the interests of the whole kingdom will be entirely in the power of the inhabitants of these towns.

" 3. Because by this Bill the influence of the landed interest is destroyed, by its giving a majority of the Members taken from those boroughs, which usually supported that interest, to the great towns, and by its depriving it of the county Representation, by allowing the inhabitants of represented towns to vote for Knights of the Shire for estates within such towns: because no pretence is stated in the Bill for disfranchising the towns contained in schedule B, many of which towns have more voters now, and will have more voters under this Bill, than some towns that are to retain both their Members; and because there are many towns which will retain their Members, although it is notorious the electors of these towns are as completely under the control of Peers and other wealthy individuals as the electors in any of the towns in schedule A, and must return the Members nominated by such Peers or other individuals.

"4. Because, although the preamble of the Bill states that one of its objects is to prevent abuses at elections, no provision is made for the prevention of any one abuse.

"5. Because the Bill is so imperfect that it cannot be carried into execution without the aid of some other law, thereby giving a pretence for keeping up a discussion upon the question of Parliamentary Reform, and continuing the excitement that now unfortunately prevails. This Bill has created boroughs without determining their extent or the population which they are to contain; divided counties without settling the line of division; created Courts without appointing any officers to them; given those Courts the power of examining witnesses without enabling them to compel the attendance of witnesses, or providing for the payment of their expenses; imposed unnecessary burthens on all Churchwardens and Overseers, and a very heavy and unnecessary expense on small parishes.

"6. Because this Bill, instead of settling the question of Parliamentary Reform, will excite discontent, and, instead of concluding the question, will be only one of a series of measures which will end in the destruction of the Constitution.

(Signed)
WYNFORD.
KENYON, *for all the reasons except the Second*."

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HOUSE OF COMMONS,

Monday, June 4, 1832.

MINUTES.] New Writ ordered. On the Motion of Sir JAMES GRAHAM, for Taunton, in the room of Mr. LABOUCHERE, become one of the Lords of the Admiralty.

Bills. Read a third time:—Army Prize Money; Regent's Park Acts Amendment; Norfolk Assizes.

Petitions presented. By Mr. DIXON, from Glasgow, for an Inquiry into the State of the West-India Interest.—By Earl GROSVENOR, from Stockport,—against the General Register Bill; from the Workmen of several Cotton Works, against the Factories Regulation Bill; and from Chester, for a Repeal of the Beer Act.—By Mr. HUME, from Dumfries, in favour of the Reform of Parliament (Scotland) Bill.—By Earl GROSVENOR, from Stockport; and by Mr. LITTLETON, from the Staffordshire Potteries, for Stopping the Supplies.—By Mr. BEAUMONT, from North Shields and Tynemouth, in favour of the Ministerial Plan of Education (Ireland).—By Mr. MAURICE O'CONNELL, from Dublin, against Church Rates; and from Terminamogan,—for a Revision of the Grand Jury Laws; against Church Rates and Tithes; in favour of the Reform of Parliament (Ireland) Bill; and of the New Plan of Education (Ireland).—By Mr. JAMES E. GORDON, from Six Places in Ireland and Scotland, against the Ministerial Plan of Education (Ireland).

EDINBURGH POLICE BILL.] Mr. Robert A. Dundas moved the third reading of the Edinburgh Police Bill.

Mr. *Andrew Johnstone* opposed it, and wished for postponement, on the ground of alterations in the Committee.

The House divided, when the numbers were:—Ayes 18; Noes 31—Majority 13.

BANKING SYSTEM.] Mr. *Littleton* said, that he rose to present a Petition of considerable importance, and one to which he requested the attention of the House. It was the petition of the Committee of Country Bankers, now sitting in London, and its object was, that they should be heard before the Secret Committee now sitting up-stairs upon the banking system, in order to afford information with respect to their interests. The petitioners considered that their interests had been greatly injured in the year 1826, and they grounded their present prayer on the promise made them by the late Government, that they should be fully heard whenever the question of banking was again taken into consideration. He did not know why he had been selected to present this petition, unless upon account of his having opposed the course pursued by Government in 1826, when the country bankers had been visited with punishment for that which had been more the fault of the Bank of England than of the country bankers. If the noble Lord (the Chancellor of the Exchequer) were in the House, he would ask him, whether the Government would not allow these parties to be heard, and he should consider it an act of injustice if they were not.

Mr. *Hume* had no hesitation in supporting the prayer of this petition, and in stating, that this was not merely the case of the banking interest, but that of the country at large. He had also opposed the course pursued by Government in 1826, and he was quite sure, that the House had materially altered its opinion since then. The country bankers had been exceedingly ill-treated, and all the faults of the Bank of England visited upon them. He trusted now, that the Committee would do its duty firmly, and that duty would not be done if they did not put an end to all monopoly.

Mr. *Paget* entirely concurred in the sentiments which had just been uttered upon this subject. He believed, that the country bankers only wished an equalization of the law, and that the burthen should be placed on the right backs. They had been very severely dealt with, and ruin brought upon many by the course which had been pursued in 1826. Out of 100 banks that had then stopped payment, there were only seven that had not paid full 20*s.* in the pound. He was an enemy to the extension of paper credit, but he trusted the claims of the country bankers would receive full consideration.

Petition to be printed.

Boundaries of Boroughs.] Lord *Dudley Stuart* presented a Petition from the Inhabitants of Arundel, against the proposed union of Arundel with Little Hampton, for the purpose of electing a Member to serve in Parliament. The petitioners objected to the union, on the strong ground, that the town of Little Hampton was completely under the control of a noble individual, who possessed great influence in Arundel, and who by this addition would be enabled to command the election. Another objection was stated, arising from the enmity which existed between the inhabitants of the two places. If the places were united, no Member could possibly attend to the adverse interests of his constituents. He cordially concurred in the prayer of the petition.

Mr. *Croker*, at the desire of the inhabitants of Arundel, gave his support to the prayer of the petition.

Lord *Althorp* believed, that in the Committee on the Boundaries' Bill, he should be able to show sufficient grounds for the course which had been adopted.

An *Hon. Member* wished to know, whether it was the intention of the Government to send that Bill to a Committee upstairs?

Lord *Althorp* thought it would not be desirable to refer that Bill to such a Committee, at least with respect to the mass of places that were to be legislated for. In some particularly nice and delicate cases, it was possible that such a course might become necessary, but, generally speaking, it would occasion great loss of time to refer the Bill to the examination of such a Committee.

Petition to be printed.

Lord *Dudley Stuart* presented another petition from Arundel numerously signed, stating that the Boundary Commissioners had made an incorrect Return with respect to the borough, in consequence of which the rival town of Little Hampton was to be added to the borough of Arundel, and they prayed that Arundel might return a Member by itself. The Commissioners were ordered to add to those boroughs which did not contain 300 10*l.* tenements, and to those only. Now the petitioners were prepared to prove that Arundel contained 320 10*l.* tenements, and, having above 300 qualified tenements, no addition should have been made to the borough. If the House investigated the circumstances, he was confident he should be able to substantiate the statement made in the petition. A great injustice would be done if the petitioners were not allowed to prove the statement at the Bar, or if Little Hampton were added to Arundel. If the Boundaries Bill contained a clause adding Little Hampton to Arundel, he should oppose that Bill.

Sir *Richard Vyvyan* hoped the noble Lord (the Chancellor of the Exchequer) would allow the petitioners the opportunity which they prayed for, to have the merits of their case fairly proved.

Lord *Althorp* thought it much better to defer the discussion on the boundaries of each particular borough until the case came regularly before the House in Committee on the Boundary Bill.

Mr. *Croker* supported the petition. When the Boundary Bill got into Committee, he should certainly endeavour to obtain justice for those particular boroughs which he considered were unjustly dealt with, and to render the Bill consistent with its own principles.

Sir *Charles Wetherell* could not refrain from congratulating the noble Lord who presented the petition on the line of conduct he had pursued. The noble Lord supported the Reform Bill throughout, and now, when it was too late, came forward with a petition against it.

Sir *Matthew White Ridley* said, that his noble friend who presented the petition, had brought forward his objection just at the proper period, and when it might be most conveniently remedied.

Sir *Edward Sugden* hoped, that the noble Lord, the Paymaster of the Forces, did not intend to defer bringing in the Bill to prevent bribery and corruption at elections, until so late a period that it might be prevented from passing during the present Session.

Lord *John Russell* replied, that the Bill to prevent bribery and corruption at elections was quite ready to bring forward, but he had been prevented from introducing it by the extreme press of public business.

Lord *Dudley Stuart* denied, that in opposing the addition of the town of Little Hampton to the borough of Arundel he could be said to impugn the principle of the Reform Bill. He was as friendly as ever he had been to that great measure, which he trusted would be brought, in another place, on that very night, to a glorious and triumphant conclusion. When the proper occasion arrived, he hoped it would be found his objection to the boundaries of the borough of Arundel was not too late.

Sir *Richard Vyvyan* wished to ask the noble Lord, whether there was any foundation for a report which had been circulated, that it was the intention of Government to bring in a Bill to enable Members of that House to continue to hold their seats on the acceptance of office under the Crown. If such a measure were intended, he must say, that he did not know any which was calculated to give a more fatal stab to the Constitution. He would wish also to know from the noble Lord, whether he would object to allowing the Boundary Bill to go to a Committee up-stairs; or, in case any borough could make out a strong case against the changes proposed by that Bill, whether he would allow the case of such borough to be referred to a Committee?

Lord *Althorp* said, it certainly was not the intention of Government to introduce any such measure as that to which the hon. Baronet's first question referred. He would not say what might be the intention of any individual on that subject, but certainly Government had no intention of proposing any such measure. As to the second question, he would say, without pledging himself to any particular course, that if any difficulties should occur with respect to any particular place, he would not object to any reasonable mode of bringing full information on the subject before the House,

Petition to be printed.

Charges of the Civil Government.] Lord Althorp having moved the Order of the Day for bringing up the Report of the Committee of Ways and Means,

Mr. *Goulburn* said, as the present was, in all probability, the only occasion on which a question of supply would be brought under the notice of the House during the present Session, he wished to take the opportunity which it thus afforded, of putting a question to the noble Lord, on a subject connected with the supply and public expenditure of the country. He wished to know from the noble Lord, at what time he intended to bring forward any measure for making provision for the civil charges of the Government, which the late Ministers had been precluded from bringing forward at the time they proposed the measures for providing for the maintenance of the dignity of the Crown? It was, he thought, of very great importance, that this question should be disposed of without any further delay. The House was aware, that, at the period to which he alluded, the Crown had expressed its willingness to make great sacrifices, in order to lighten the burthens of the country. A gracious communication from the Throne showed that his Majesty was prepared to make sacrifices of his hereditary revenues, greater than had been made by any other monarch who had governed these kingdoms, and the House of Commons, on that occasion, marked its sense of the gracious disposition of the Sovereign by its answer, in which it declared, that it would make due provision for the honour and dignity of the Crown. Such provision had been made, but, of any arrangement for providing for the civil government of the country, though a period of eighteen months had since elapsed, nothing had yet been heard, though the House stood pledged to some measure of the kind. In the preamble of the Act for making provision for the Civil List, it was stated, that his Majesty's most faithful subjects, the Commons, were desirous to make due provision for the maintenance of the civil government of the country by Acts of that Parliament. Nothing, however, had been done on the subject in that Session, and they were now arrived at a late period of the second Session, and still the House had heard nothing of any such provision being brought forward by Ministers. Let the House consider what were the charges for which no other provision had been made but by payment of instalments on account. One was the payment of the Judges of the land. Could anything be more unwise, than that the highest judicial officers of the country should, in a time of excitement like the present, be left without any other provision than that of payment by temporary instalments. The Committee which had sat on the civil charges had, without entering further into that subject, stated it to be highly expedient that provision should be made for the salaries of judicial officers by fixed charges on the Consolidated Fund. Another charge which was left without a fixed provision was our diplomatic expenditure, which, though not equally important to that he had already named, was certainly of too much importance to be left without a permanent settlement. Considering these circumstances, he hoped the noble Lord would not consider that he (Mr. Goulburn) was unreasonable in asking him at what time he intended to bring forward some measure for placing those charges on some permanent footing.

Lord *Althorp* fully agreed with the right hon. Gentleman, that the course which he had taken on the subjects to which allusion had been made was not desirable, but his excuse for it was, the circumstances in which he had been placed, which had prevented him from bringing forward the measures to which he had alluded at an earlier period. He concurred with the right hon. Gentleman that it was desirable that the charges of civil government should be placed upon a permanent footing, and he pledged himself to the right hon. Gentleman and to the House, that, as far as depended on him, those charges should be settled in the present Session.

MUNICIPAL POLICE.] Sir *Robert Peel* hoped the noble Lord would allow him to call his attention to another subject of much importance, on which, from the situation he had held, he felt much interest. A considerable time back, a recommendation from the Crown had directed the attention of the House to the establishment of municipal police through the country, and the House had pledged itself that it would take the subject into consideration. Since that time, no measure relating to it had been proposed by Government. He wished to know, therefore, whether Government had any intention of bringing forward some measure of the kind, or whether, finding an obstruction to such a measure from local causes, they had abandoned the idea altogether? It was very desirable to know whether they had abandoned the matter, because, in that case, many parts of the country would be disposed to take such steps as would supply the deficiency, and establish a police of their own.

Lord *Althorp* admitted, that there were great difficulties attending this matter, but those difficulties had not prevented the Government from taking it into their serious consideration, and, in fact, considerable progress had already been made in it. He could not, however, pledge himself, as he had in the case referred to by the right hon. Gentleman (Mr. Goulburn), that he should be able to introduce any measure on the subject during the present Session.

Mr. *Portman* expressed a hope, that the Session would not be allowed to pass, without the introduction of some measure on this important subject.

Mr. Alderman *Venables* said, that the city of London had taken active measures for the improvement of its police, and some acts were in preparation to carry those alterations into effect.

Sir *Robert Peel* thought that the City had the power to make any alterations in its police, without the necessity of any legislative measure. His question had no relation to the city of London, but rather to those places in the country which would take steps for establishing local police, if they understood that no general measure on that subject were intended.

INCORPORATION OF BOROUGHS.] Mr. *Charles W. Wynn* wished to know from his noble friend (Lord Althorp), whether it was intended to incorporate the new boroughs which would be created by the Reform Bill, and if it were, when a measure for that purpose would be brought forward.

Lord *Althorp* said, that a clause in the Bill would make such a course necessary, but he could not say, that a measure to that effect would be introduced in the present Session.

Mr. *Charles W. Wynn* hoped that no avoidable delay would be allowed to intervene between the passing of the Bill, and the incorporation of the boroughs which it would create.

COLONIAL POLICY — ORDERS IN COUNCIL.] Mr. *Irving* was anxious to put two questions to the noble Lord, which he hoped he would not object to answer. The House was aware, that some time ago a Committee had been appointed on our Commercial Affairs, chiefly as related to the West Indies. A Report from that Committee was already on the Table of the House. His first question was, whether it was intended to carry the recommendations of that Report into effect, and what were the measures of relief which Government intended to propose? His second question, and to this he hoped the noble Lord would not object to give an answer, related also to the West-India colonies. A Committee was now sitting up-stairs, to inquire into the state of the slaves of those colonies. What he was anxious to know from the noble Lord was, whether the Government would consent to suspend the Orders in Council which had been sent out in November last, until the Committee up-stairs should have made its Report.

Lord *Althorp* said, that to the first question he must decline giving any answer. As to the Orders in Council, they had been sent to the Crown colonies, where they had the force of law. They had also been sent to the colonies with local legislatures, with a recommendation that they should be adopted, but in every case these colonies had declined to adopt them. With respect to those colonies he would say, that it was not the intention of Government to press their adoption, but in the Crown colonies, as he had already said, the Orders in Council were now the law, and it was not the intention of Government to alter them, or to suspend their operation till the Committee should have made its Report.

Sir *Robert Peel* wished to know from the noble Lord, whether any discriminating duties were intended to be applied to the Crown colonies, as distinguished from those colonies in which the Orders in Council were not adopted? He thought the adoption of such duties would be unjust to the latter colonies.

Lord *Althorp* said, it was not the intention of Government to propose any such duties. Government might adopt other measures, but it would not propose any discriminating duties.

Mr. *Irving* regretted the course which the Government seemed disposed to adopt with respect to the Orders in Council. The noble Lord was perfectly correct in saying that those Orders were now law in the Crown colonies, but, though they were the letter of the law, they were no where carried into effect, and for this reason—that they could not be so carried. They might remain the law, but they would be a law wholly inoperative; and that was the reason why he was anxious that they should be suspended until the Committee should have reported.

RUSSIAN-DUTCH LOAN — GREECE.] Mr. *Baring* said, there was another subject to which he was anxious to call the attention of the noble Lord, before bringing up the Report. It would be recollected, that early in the present Session, a long discussion took place on the motion of a right hon. Gentleman (Mr. Herries), on the payment of a debt of Russia, part of which was guaranteed by this country and by Holland. That debt was paid in part by the present Government; but the noble Lord, whether from some misgivings as to the question, or to put it on a more secure ground, stated that it was his intention to bring in a bill on the subject. He wished to know from the noble Lord, whether such was still his intention, and when he intended to bring in the bill? There was another subject on which he was anxious to put a question to the noble Lord. He had heard it stated, and indeed on such good authority, that unless he heard it denied by the noble Lord he should consider it authentic, that this country had entered into an engagement to pay a large sum of money for the purpose of supporting a German prince on the throne of Greece. He wished to know whether the fact was so?

Lord *Althorp* said, that one ground on which the payment to Russia had been defended was, that although we had admitted that a separation had taken place between Belgium and Holland, yet that Russia had not. Russia had since admitted and made itself a party to an acknowledgment of that separation, and in that respect she stood on somewhat different grounds. In consequence, a convention had been drawn up between this country and Russia, and was now in progress, though it had not yet been ratified. When that convention should be ratified, it would be laid on the Table, and such measures would be proposed with respect to it as might be considered necessary. In the mean time, Parliament would not be called upon for any measures on the subject of the Russian-Dutch loan, payment of which would, until such ratification, be suspended. On the subject of the hon. Gentleman's second question, he would only say, that, as it was the subject of a pending negotiation, the hon. Member must excuse him if he declined giving any explanation respecting it.

Mr. *Herries* expressed his satisfaction at hearing the new decision of submitting this question to Parliament, and that the payments of the loan till then were suspended. That was something gained by the discussion to which he had given rise, though the majority decided against him. He rose, however, to enter his protest against what the noble Lord stated as the ground of the opposition to the motion. On the part of the Government the line taken was the ground assumed by the Law Officers, that the separation had taken place. He admitted, that one person on the side of the Government had made use of the argument, that the separation was not complete as far as Russia was concerned; but the ground laid down by the law officers, on which all their arguments were founded, was, that the separation was complete.

Lord *Althorp:* The right hon. Gentleman admitted that one person had made use of that argument, and that one person was the Secretary of State for Foreign Affairs. The argument used by the law officers undoubtedly was, that the separation was complete as far as this country was concerned, but not complete for Russia, who had never acknowledged it.

Mr. *Croker* reminded the noble Lord, that the Secretary of State for Foreign Affairs only made use of that argument in his reply at the close of the Debate. Then he did not insist on it, but only threw it in *obiter*—as a make-weight, as if it were necessary to assist his other arguments which the noble Lord described to be irresistible.

The Report of the Committee of Ways and Means, granting 4,000,000*l.* from the Consolidated Fund, was brought up, read, and agreed to.

PARLIAMENTARY REFORM — BILL FOR SCOTLAND—COMMITTEE—SECOND DAY.] The Lord Advocate moved the Order of the Day for going into a Committee on the Reform Bill (Scotland).

Sir *John Welsh* said, he had intended to move that Representatives should be given to the Scotch Universities. He did not expect, however, in the present state of parties and of that House to obtain any considerable support, and he should, therefore, abandon his intention for the present. He hoped, however, that a measure so just was only deferred. In better times he trusted to see such an arrangement carried into effect.

Mr. *Cutlar Fergusson* said, that the omission of any qualification for the Representatives of counties, which had been made by the present Bill, though not by the former, would excite much disapprobation amongst the people of Scotland. He did not see why there should be a distinction made between England and Scotland in this respect. He thought it the more desirable that a qualification should be required since the constituency had been so much enlarged.

The *Lord Advocate* said, that that question could not with any advantage be discussed then. If it were introduced at a proper stage, the necessary consideration could be given to it. He would merely observe, that the present law of Scotland required no qualification, and so far this part of the Bill was conformable to it. He had no apprehension that less proper persons would be returned under the Bill than were returned at present.

Sir *George Clerk* thought, that there should be a qualification in land for Members for counties in Scotland, as well as in England and Ireland.

Lord *Althorp* said, that it was well known that the qualification in question was not strictly attended to in England,

and as the thing would be strictly interpreted in Scotland if it were introduced there, it was thought advisable not to introduce it. However, if it were the opinion of hon. Members that such a qualification should be required in Scotland, there would be no objection to the introduction of it into the Bill.

House in Committee.

On Clause 6 being read, which limits the right of voting for life only to certain 10*l.* freeholders,

Sir *George Clerk* objected to this clause, on the ground that it disfranchised those who had purchased their votes, and which purchase had been recognised by the law of Scotland; in which respect the Scotch Reform Bill differed from the English, because the latter had to deal with boroughs, the mode of voting in which was punishable if detected to be such as described by the advocates of the Bill. He wished to call the attention of the House to a passage that appeared in *The Edinburgh Review*, which no doubt would pass for very great authority with the learned Lord. That passage stated, that whatever Reform took place, care should be taken to leave all existing rights untouched. But the present Bill altogether extinguished existing rights, or at least, so increased the franchise that the whole character of the former state of things was destroyed. Under these circumstances, it was his intention to move for the omission of this clause altogether.

Mr. *Cumming Bruce* supported the same view. This Bill, if allowed to pass in its present state, would give a violent blow to the rights of the people. When the English Bill was proposed, hon. Gentlemen complained of its taking away their breath; and with respect to the Scotch Bill, the landed proprietors could equally say that it took away their breath, for it took away, much to their surprise, a great deal of their property. Hitherto the law of Great Britain had always respected property; but in this Bill, which was to be the panacea for all evils, the greatest of all evils was committed—that of violating the rights of property. He was aware that it was unpopular to ask for compensation under this Reform measure; but he must risk that imputation in this case, for he was fully convinced of the justice of making compensation for that which was taken away. It was said that elections ought to be pure. He granted that; but the condition by which the use of the privilege was regulated had no necessary connection with the means by which it was transferred. He could cite a similar case in English law. The purchase of an advowson had nothing to do with simony—it was very distinct from simony; and it seemed to him that exactly the same considerations applied to the purchase and the use of the right of voting in Scotland. Neither could he admit the proposition, that because a law was passed for England, a similar law was required for Scotland. He could not admit this, and former Parliaments had not admitted it, as might be seen by reference to the 1*l.* note circulation, and to the Cholera Prevention Bill, in which the Scotch Members properly insisted on a recognition of Divine Providence being inserted. These were two instances; and he heartily hoped that the Government would allow the Reform measure to be a third, as he was well persuaded that the present Bill, instead of conferring a benefit, would be inflicting an evil on Scotland.

Mr. *Robert Ferguson* contended, that no claim for compensation for loss sustained by the holders or possessors of superiority votes could be made, because, in point of fact, they were really of no value, and the parchments which conveyed the rights to the superiority votes were only valuable to hang up in their baronial halls, and afford information to some future historian or antiquary, bent on an inquiry into the ancient political history of Scotland. They were founded on a corrupt fiction invented for a corrupt political purpose, and they were so base that the owners had always a repugnance to take the oaths—a practice, indeed, that was never rsorted to unless in a case of the candidate being very hard pushed.

The *Lord Advocate* said, that if any fault was to be found with the clause now before the House, it ought to be found with the mercy which it manifested. The superiority votes were in point of fact, of no value and were based in corruption, and in the usurpation of the ancient Constitution of the country. Formerly their value was real; it depended on property held of the Crown of the annual value of 40*s.* or feudally of the value of 400*l.* Scots. But they had long since been separated from property, and were sold separately. If any one superiority should be found to contain property of 10*l.* yearly value, the owner of that superiority would, of course, still continue to possess his vote, for in the clause no class of votes were struck at but those which did not originate in the possession of the annual value of 10*l.*, and he contended that the proprietors of the boroughs enumerated in schedules A and B of the English Bill of Reform, were just as much entitled to compensation as were the proprietors of superiority votes in Scotland.

Mr. *Pringle* must support the claim for compensation. A money value had been given for the superiority votes, at a time when they were recognized by the existing law of the land. He regarded the present measure as a measure of spoliation—a sweeping, revolutionary measure, which abrogated rights which ought not to be disturbed; and he felt sure a measure of Reform might have been framed by the learned Lord opposite, which would have given much greater satisfaction, both to the Reformers and Anti-Reformers of Scotland.

Mr. *John Campbell* said, that he hoped the House would use the same despatch in disposing of the present measure which had been used by the other House in disposing of the English Bill. The other House of Parliament had set them a noble example; for they had only been occupied in Committee three days in despatching that which had cost this House so much of time and labour, as well as, to some, so many pangs to part with—namely, the rotten boroughs. Indeed he hoped that at the moment he was speaking the Reform Bill had become the law of the land. As the superiority votes were unconnected with property, they were valueless, except as a means of political corruption. They could not, therefore; come into question, and if he understood any thing of the principle of the measure of Reform, it was, that property should be represented. If the superiorities to which the clause referred had any real property attached to them, they would then possess representative power; but, if they were of no real value, their holders had no claim whatever to compensation. In this country it was unknown, the fact of a freeman's vote being announced for sale, while it was not uncommon to see advertised in the Scotch journals, ten votes for sale, and the upset price named. This was a disgrace to the country, and would be remedied by the present measure.

Lord *Loughborough* opposed the clause. The votes advertised, as mentioned by the hon. and learned Member, arose out of property to be sold, and not otherwise.

Mr. *Kennedy* conceived that it was monstrous to contend (if it really was contended) that compensation ought to be granted for any supposed wrong inflicted upon the possessors of superiority votes. He himself had bought some of the votes at 50*l.*, and he had known other gentlemen purchase them at 2,500*l.* each; at which rate, then, he would ask, was compensation to be given? It was monstrous and absurd to think of such a proposition, and he maintained that the Bill and its provisions, as they stood, ought to be adhered to, to benefit the country.

Sir *George Warrender* said, that compensation in this case, was, as he thought, entirely out of the question—indeed, as an hon. Member had said, was moonshine. However he had opposed the English Bill of Reform, he felt himself called upon to support the measure now before the House.

Mr. *Hume* was of opinion, that there could be no departure from the principle of the Scotch Bill, or from that general principle of Reform to which the House was pledged, if they omitted the Clause altogether. In the English Bill they had preserved the rights of freemen, and he saw no reason why they should not extend the same privileges to the holders of superiorities in Scotland.

Lord *Althorp* could not consent to the omission of the Clause. In arranging a new Constitution, it was a most desirable thing that they should not lend themselves to the preservation of fictitious votes; besides, all the holders of superiorities would have a vote for property elsewhere.

Mr. *Dixon* supported the Clause; he was surprised at the opinion of the hon. member for Middlesex, for he thought the omission of the Clause entirely inconsistent with the principle of the Bill.

Sir *Charles Forbes* was of opinion, the consideration of the subject of compensation for the extinction of the franchise in right of superiorities, was of importance sufficient to be referred to a Committee above-stairs. He certainly spoke as a possessor of superiorities which he had purchased.

Sir *George Murray* was in favour of continuing the right of voting to the parties themselves possessed of superiorities.

Mr. *Charles Grant* conceived, that the continuance of the right to vote in virtue of superiorities would be a violation of the principle of this Bill, and fraught with much litigation and confusion. He would support the clause, although, in doing so, he made as great a sacrifice, in a pecuniary point of view, with respect to superiorities, as any man in Scotland.

Clause agreed to.

Upon the 7th Clause being read,

Sir *William Rae* objected to it for its complexity, and contended, that its effect would be, by admitting 10*l.* householders, to overpower the landed interest in all places where manufactories were established. As there was to be a new arrangement for Scotland, they ought to attend to the interests of the landowners, and grant, as in England, additional Members to the counties.

The *Lord Advocate* thought, that his right hon. friend was unnecessarily alarmed. A great number of Scotch towns were small, and dependant upon agriculture, and all their voters would support the landed interest. He believed that the clause would be found to work well; and must deny that any just ground existed for the apprehensions of his right hon. friend as to the county constituency.

[During the discussion on these Clauses, the House, which had been tolerably full, suddenly became almost empty, the majority of Members present rushing out with great eagerness, on its being rumoured that a division was taking place in the Lords, on the third reading of the Reform Bill. On the return of the Members, the greatest excitement prevailed, and business was for some minutes suspended while the result of the division was communicated and commented on. The feeling prevalent below stairs spread to the strangers' gallery, and a general sentiment of joy and congratulation was exhibited within the walls of the House, at the triumph of the Reform Bill.]

Clause agreed to.

Clause 8 read.

Mr. Alderman *Wood* rose to move that the Chairman do report progress and ask leave to sit again.

[The English Reform Bill had been brought to the bar, and the messengers from the Lords were waiting to present it.]

Lord *Althorp* said, that he knew the object which the hon. Alderman had in view in making the Motion, and the circumstance in question gave him as much pleasure and satisfaction as it did to the hon. Alderman; but he hoped, nevertheless, that the Motion would not be persevered in.

Mr. *Andrew Johnston* said, that such was the excitement in Scotland about the Scotch Reform Bill, that there would be no peace for the Scotch Members until it was passed, and he therefore hoped that no needless delay would be interposed in the way of its progress.

Lord *Althorp* said, that he did not wish the Committee to be divided on the subject, but the hon. Alderman might, if he chose, press his Motion to a division.

Sir *Robert Peel* said, that he had more confidence in the judgment of the noble Lord than in that of the worthy Alderman, and if the House did divide, he (Sir R. Peel) should go with the noble Lord.

Lord *Althorp* hoped that the hon. Alderman would not, on account of any temporary feeling, delay the progress of the Scotch Reform Bill; but if it was impossible, in the present state of the House, that any attention could be paid to the subject before it, they must have in that case an adjournment of it. [*The House was at this period in an indescribable state of confusion.*]

Mr. *Dixon* said, that this Motion was extremely disrespectful to Scotland, and that, even should he stand alone, he would divide the House fifty times against it.

Sir *Charles Forbes* found fault with the manner in which the Scotch Reform Bill had been treated in that House. If the Members were not prepared to give it their attention, they might as well adjourn to receive the Message which he understood had been sent down to them from the other House. However, he hoped that they would go on with the Scotch Reform Bill, and not lose the opportunity of considering it upon the 4th of June, the anniversary of the birth day of our late most gracious Sovereign, George 3rd.

Lord *Althorp* was surprised at the observations of the hon. Baronet, especially when he considered what had been the course adopted by the hon. Baronet, with respect to Reform.

Sir *George Warrender*, as a friend of the Scotch Reform [*hear*]—he was a friend of the Scotch Reform Bill, though he was opposed to the other Bill; and, as a friend of the Scotch Reform Bill he would not consent to this Motion, which would unnecessarily delay it.

Mr. Alderman *Wood* denied that he

had any wish to interfere with the progress of the Scotch Reform Bill. All he wished was, that the House should have the gratification of receiving the English Reform Bill, which was now ready to be presented to them from the other House; and he could not conceive why he should be supposed careless about the Scotch Reform Bill, merely because he wished them to adjourn for ten minutes for the purpose he had mentioned.

Motion withdrawn.

Several Clauses, with merely verbal Amendments were agreed to.

The House resumed—Committee to sit again.

PARLIAMENTARY REFORM — BILL FOR ENGLAND—RETURNED FROM THE LORDS.] The Speaker having resumed his seat, the Serjeant announced a Message from the House of Lords.

Question put that the Messengers be called in.

Mr. *Stuart Wortley* said, that he was aware that it was unusual to offer any objection to the reception with due honour of the Messengers of the House of Lords; yet he could not but protest most solemnly against the mockery which had been enacted elsewhere. He did not consider this to be a Message from the House of Lords, and he protested against its being received as such.

Question that the Messengers be called in, agreed to.

The *Speaker* announced that the Reform of Parliament (England) Bill had received the sanction of the House of Lords, with certain amendments.

Lord *Althorp* moved, that the House take into consideration the Lords' Amendments to the Reform Bill on the next day, and that the amendments be printed.

Colonel *Sibthorp* addressed the House, but was for some time inaudible, in consequence of a general fit of coughing which seized the Members sitting on the Ministerial side of the House. He declared that he would not be put down by hon. Gentlemen opposite. He was an independent Member of Parliament, and would do his duty, let them cough as they liked. The conduct of the noble Lord (Lord Althorp) formed a striking contrast to the behaviour of the hon. Gentlemen behind him. That noble Lord never coughed; he was always kind and obliging, and he (Colonel Sibthorp) trusted the noble Lord would, with his usual courtesy, comply with his request, and not call upon the House to take into consideration the amendments to this important Bill at so early a period as to-morrow.

Mr. *Hume* submitted to the noble Lord, whether it would not be advisable to have the whole Bill printed, together with the Amendments.

Lord *Althorp* said, that the effect of having the Bill printed would be, to render it impossible to take the Amendments into consideration to-morrow. No inconvenience would be felt from not having the Bill re-printed, for he would take care that each Amendment should have a proper reference to the Bill.

Motion agreed to.

NORFOLK ASSIZES BILL.] Mr. Robert Grant moved the third reading of this Bill.

Mr. *Baring* moved, as an Amendment, that it should be read a third time that day six months. The measure was an unjust one, and would take into the hands of that House a power which was vested in the Chancellor and the Judges.

Mr. *Robert Grant* defended the Bill, and referred to the removal of the Assizes from Buckingham to Aylesbury, and to another similar instance, in justification of this measure.

Sir *Robert Peel* said, that the Buckingham case was the strongest possible proof of the inconvenience of giving to the Judges the power of fixing the town where the Assizes should be held, and that House afterwards sitting in appeal upon their decision. If the House was determined to take the power into its own hands, it would be only decorous to pass a law for that purpose. It was disparaging to the Judges to sit as a court of appeal on their decision.

Mr. *Hume* knew that the Bill was called for by the whole county of Norfolk, and he should support the Motion.

Lord *Althorp* said, he did not think that the Judges ought to be entirely deprived of the power of deciding where the Assizes should be held, but, in some particular cases, that House might see reason to interfere, and he did not conceive that such interference implied the slightest disrespect to the Judges.

Mr. *John Campbell* said, he should be the last man in the world to offer any disrespect to the Judges, and he offered none in supporting the Bill.

Mr. *Ridley Colborne* opposed the Bill, as it was inexpedient to make that House a place of appeal from the decisions of the Judges in matters on which the law gave them power to decide.

Mr. *Weyland* supported the Bill. He was surprised that the wishes of the people of Norfolk, so frequently conveyed to this House, by petitions upon the subject, had not long since been complied with.

Sir *Robert Inglis* opposed the Bill, because the Judges were the fit and proper persons to determine on the question as to where the Assizes should be held.

Bill read a third time and passed.

HOUSE OF LORDS,

Tuesday, June 5th, 1832.

GRAVESEND PIER BILL.] The Earl of Darnley moved the Order of the Day for reconsidering the Report of the Committee on this Bill.

The Marquess of Salisbury moved, that the Report be taken into consideration that day six months.

The Earl of *Darnley* moved, that the Bill be recommitted, in order that further evidence might be obtained, and in making the Motion he begged to state the grounds of it. The parties interested in the Bill were exceedingly anxious to obtain it, and they considered that it would be useful to the public. They had, however, been opposed in the Committee in an unwarrantable manner. Insinuations had been thrown out, that the signature to a petition was a forgery, which was a serious but unfounded charge. A noble Viscount (Viscount Beresford) had attended the Committee, and stated, that his brother, who commanded at Sheerness, objected to the pier, as injurious to the river, though the Corporation of London, which was the Conservator of the river, did not object. On the noble Viscount's statement, though his gallant brother was not examined before the Committee, he had postponed the proceedings, and after they had been postponed, several noble Lords, who had not heard one word of the evidence, came down to the Committee and voted against the Bill. As to the objection made by another noble Viscount (Viscount Strangford) on the score of vested rights on the water, he could only say, that no evidence on that subject was given before the Committee. Considering that the subject had not been fairly dealt with, he moved that the Bill be recommitted.

Viscount *Beresford* opposed the Motion. He certainly had submitted his brother's letter to the Committee; he had also stated, that Sir George Cockburn concurred in opinion with his brother, and, on these grounds, he conceived further inquiry was necessary. He was still of the same opinion, and begged the noble Earl to allow the matter to lie over for another year.

The Earl of *Radnor* thought the Report ought to be reconsidered, because the most of the noble Lords who voted in Committee had not heard the evidence. The question was decided against the Bill in Committee, by a majority of seven to six, and he was one of the six. He had heard the greater part of the evidence, but he could assure their Lordships that only one noble Lord of the majority had ever attended the Committee.

Viscount *Beresford* said, that he had read the evidence, and it was upon a consideration of it that his vote in Committee was founded.

The Marquess of *Salisbury* said, it was sufficient to enable noble Lords to come to a correct conclusion, that they had read the evidence. It was the general custom of their Lordships to sustain the Reports of their Committees, and he, therefore, should oppose the recommitment of the Bill.

The Duke of *Richmond* would not express any opinion upon the merits of the case, but, under all the circumstances, he thought it best to have the Bill recommitted.

Lord *Wharncliffe* was of the same opinion, and he thought that the dignity of the House would be best consulted by reconsidering a Report upon which any imputation had been cast. It was plain that neither the parties interested nor the public were satisfied with the decision of the Committee.

Lord *Teynham* said, that he was so convinced by the statement of the noble Duke (the Duke of Richmond), that he should certainly vote for the recommitment of the Bill.

Viscount *Strangford* congratulated the noble Lords opposite, and the noble Duke in particular, on the incalculable importance of the conquest which the noble Duke's eloquence had just achieved. As he had been one of the mutes who had assisted in strangling the noble Earl's Bill when in Committee, and as much personal allusion had been made to him, he begged to say a word as to the share which he had in that transaction. The chief, indeed the only, point on which he had looked to the Committee for information was, as the noble Earl had truly stated, the question concerning vested rights. He was free to confess, that the case of vested rights had not been made out to his satisfaction, and therefore he had withdrawn opposition to the Bill with respect to that ground. But with respect to the general merits of the question it was not necessary for him to attend the Committee at all. He had made up his mind on the subject from the petitions against the Bill which he had presented, with the truth of the allegations contained in which he was perfectly satisfied when he presented them. These petitions had been referred to the Committee, and to the Committee he had gone merely for the purpose of supporting them. He did not object to the noble Earl's Motion from any apprehension as to what the result of a second Committee would be. On the contrary, he was sure that the more the Bill was sifted and examined, the more flagrant and the more cruel would its provisions appear to be as respecting those unfortunate and hard-working individuals whom it would deprive of bread for themselves and families. It was all very well to talk about public convenience and accommodation. It might be very proper that the good citizens of London, when they went down to amuse themselves at Gravesend, should have a comfortable place to land at. It might be proper too that the limbs of the ladies who attended them should not be too rudely exposed to the rough breezes of the Thames. He did not pretend to know at what precise angle of elevation a lady's garments might with propriety he held on leaving a boat; but a very grave personage, the Mayor of Gravesend, was better informed on those matters, and had exhibited to the Committee an interesting diary, representing a lady stepping out of a boat, and all the inconveniences to which she might be exposed. This *argumentum ad verecundiam* was, after all, the only decent one which he had heard in support of the Bill. Still he thought, that even this protection to modesty would be dearly purchased by throwing several hundred individuals and their families on the parish. He objected to the Motion on account of its principle. He thought it not right, and certainly not usual, that the votes given in Committee by individual Peers should be afterwards dragged before the House, and those Peers pointed out, almost by name. He would, however, waive his objection to the Motion if the noble Earl would, as a man of candour, get up in his place and say, that if the determination of the Committee, instead of being against the Bill, had been for the Bill, and that that determination had been carried by a majority of Peers who had not regularly attended the Committee, he (the noble Earl) would in that case have equally thought it his duty to impugn that determination on bringing up the Report.

Bill to be recommitted.

Bribery at Elections.] Lord *Wynford* said, that he had intended to propose the addition of certain clauses to the Reform Bill, for the purpose of preventing bribery at elections, but indisposition had prevented him from attending the Committee latterly. He now begged to propose the clauses in the shape of a Bill, and he moved that it be read a first time.

The Duke of *Richmond* directed the noble Lord's attention to the votes of the House of Commons of last night, where he would find, that Lord John Russell had given notice of his intention to introduce a bill for the prevention of bribery; and he begged to submit to the noble Lord, whether the House of Commons was not the best place in which such a bill could be originated.

Lord *Wynford* said, that the best answer he could give to the observations of the noble Duke was, that the only good Bribery Act in existence had originated in the House of Lords.

The *Lord Chancellor* said, that he had informed the noble and learned Lord, that Government had prepared a measure on this subject. He, however, saw no objection to allowing the Bill just proposed to be read a first time, and to be printed, provided it was not pressed forward until the other measure came before the House.

Lord *Holland* said, that if he were not mistaken, the Bribery Act, stated by the noble and learned Lord to have originated in that House, was the Act passed in 1726. He felt it necessary to say, for the noble and learned Lord's information, that the Act did not originate in the House of Lords.

Lord *Wynford*: Some of the clauses of it did.

Lord *Holland* continued. That was exactly the point to which he wanted to bring the noble and learned Lord; for he wished him to understand properly the precedent which he had quoted. The bill to which the noble and learned Lord had alluded, and which had contributed as much as anything else to render the great measure which had just received their Lordships' sanction necessary, originated in the House of Commons; and had for its object to make the decision of that House conclusive and irreversible, with respect to the right of voting in boroughs. When the bill was sent up to that House, their Lordships perceived the effect which had since been produced by that measure —namely, that of narrowing the right of voting, and the Lords, though adverse to the proposition, yet, wisely thinking that a collision between the two Houses ought at all times to be avoided, did not reject the bill. They, however, added some clauses to it, for the professed purpose of preventing bribery at elections, but with the real intention of getting rid of the bill altogether, by compelling the House of Commons, in vindication of their privileges, to reject it. But the House of Commons acquiesced in the unusual and irregular proceeding of the Lords, and adopted the amendments in order to secure to themselves the power which the bill would give them. This was the true history of that bill, and the noble and learned Lord was welcome to all the value of his precedent.

Lord *Wynford* admitted, that the statement of the noble Baron was generally correct, but he was not aware that there existed any constitutional objection to originate a bill of the nature he now proposed in the House of Lords.

The Bill read a first time, and ordered to be printed.

EXCHEQUER COURT BILL, SCOTLAND.] On the Motion that this Bill be committed,

The Duke of *Buccleugh* proposed, that the Committee on the Bill should be postponed till next week, as he had not had sufficient time to consider the Report of the Commons' Committee on this subject.

The Earl of *Roseberry* thought it would be sufficient to postpone the Committee till Friday next, in order to insure its passing this Session.

The Earl of *Camperdown* concurred in this opinion, and observed, that a similar bill had already passed this House, and had been lost in the Commons by the prorogation.

The Duke of *Hamilton* deprecated any haste in proceeding with the Committee. Making rash innovations in the Scotch law, merely to assimilate it to the English law, was, he thought, very unadvisable, as the foundations were entirely different.

The *Lord Chancellor* thought his noble friend had not sufficiently attended to the Bill, or he would not have alluded to its altering the Scotch law. Neither this, nor the bill for reducing the number of the Court of Session to thirteen, had any such effect. As to the Bill, it only went to put an end to sinecure judicial appointments. The average number of defended causes in the Exchequer had been, of late years, only two in each year: and it was therefore proposed that a Judge of the Court of Session should do the duty at a small increase of salary, while a judicial appointment of 4,000*l.* a-year, and another of 2,000*l.* a-year, would be put an end to.

Bill to be committed on Friday.

HOUSE OF COMMONS,

Tuesday, June 5, 1832.

MINUTES.] New Writs issued. On the Motion of Mr. ELLICE, for the Election of Members for Calne, and for Cricklade, in the place of Mr. MACAULAY, and Mr. ROBERT GORDON, appointed Commissioners for the Affairs of India.

Bills. Read a first time:—Boundaries (Scotland), and Boundaries (Ireland.)

Petitions presented. By Lord CLIVE, from Drumheerin; and by Mr. JAMES E. GORDON, from Dewsbury, against the Ministerial Plan of Education (Ireland).—By Lord KILLEEN, from three Places in Ireland, for the Abolition of Tithes.—By Mr. JAMES GRATTAN, from the Members of the Political Union, Dublin, against the Dublin Police Act.—By Sir RONALD FERGUSON, from Kirkaldy, for Stopping the Supplies; and from Nottingham, against Slavery, and against the General Register Bill.

MINISTERIAL PLAN OF EDUCATION (IRELAND).] Mr. James E. Gordon presented Petitions from Dewsbury, in Yorkshire, and Rathcoolen in the county of Cork, against the Government system of Education in Ireland; another from Glasgow, on the same subject, and with the same prayer, which was agreed to previous to the Petition from Glasgow, adopting contrary opinions, which was lately presented to the House.

Mr. *Dixon* said, that there had been no feeling of religious animosity in Scotland for years, and he hoped the present plan intended by Government, would have the effect of doing away with that feeling in Ireland. He could not deny the respectability of many of those who signed the petition, but he must maintain, that they were not calculated to judge what was best for Ireland.

Mr. *James E. Gordon* said, that the pretended Government plan he considered as strictly anti-scriptural. It expressly excluded the Scriptures as a whole; he, therefore, could not but view it in that light. He (Mr. Gordon) was anxious to put a question to the right hon. Gentleman opposite (Mr. Stanley), regarding some correspondence of an ecclesiastical nature, which had created some feeling lately. The Solicitor General for Scotland had read a communication at some public meetings, as coming from the right hon. Secretary for Ireland, stating, that reading of the Scriptures was to be compulsory on the Protestants, but voluntary on the Catholics. As this was a deviation from what he understood to be the Government plan, he hoped the right hon. Gentleman would give some information upon it, as it would be satisfactory to the country to know what the Government plan was.

Mr. *Stanley* said, that he was sure the House was wearied and disgusted with the repetition, day after day, and week after week, of charges by the opponents of the system, which charges had been as often refuted and repudiated, but which, nevertheless, were still continued by the assertors of them, who abated not a jot of their accusation, however successfully repelled. The system now was—what he had over and over declared it—one which would enable Protestants to learn what their parents and clergy desired they should be taught, but which would not force Catholics to study what their parents and clergy wished to debar them from. A particular portion of each day would be set apart for the instruction of the Protestant children in the whole of the Scriptures. This might be an hour or half an hour before the arrival of the Catholic children, or after they had departed; so that, in this respect, the one party would not in any way interfere with the other. This was the plan adopted, and this had satisfied, when it was stated to them, the intelligent people of Scotland; it had satisfied the public in general, with the exception of those whose minds were warped by religious bigotry, and who made use of this scheme as a means of agitation.

Mr. *Shaw* said, that the fact as stated by the right hon. Gentleman was, that the Scriptures were to be excluded from the school while the boys were congregated together. If they wished to be instructed in the Bible, they must go either before or after school hours.

Mr. *Stanley:* While the Catholic children were not there.

Mr. *Shaw:* Exactly so; and this, he contended, was a practical exclusion of the Holy Scriptures, and he should as warmly oppose the plan under any Government as under the present one.

Mr. *O'Connell:* The Catholics did not wish to have the Scriptures as a school-book; and, as the object was to give a joint education to the people of Ireland, if any plan were to be adopted which the Catholics objected to, the object in view would be, of course, defeated. He trusted there would be an end to these discussions, which, by their continual repetition, must be tiresome to the public.

Sir *Robert Bateson* denied, that the opposition to this measure was in the slightest degree tinctured with political feeling, and contended, that the Presbyterians of the north of Ireland were, almost to a man, opposed to the plan proposed by Government for educating the people of Ireland.

Sir *Francis Burdett* said, if the system of education was to be national, it was impossible that any difference could be made in favour of one religious persuasion over any other, or all others. If the desire was, that the Catholics should read the Bible, he would ask those hon. Members who were opposed to the plan, whether it was not more likely that the Catholics should be induced to read the Bible after they had learned to read, than by preventing them from learning to read at all, which would be the effect of the measure which hon. Members on the other side desired to have put into action.

Sir *Robert Inglis* said, that any system which made it a breach of discipline to bring a Bible into the school at any time of the day, was a system which he could never sanction, and which no paternal government ought to adopt.

Mr. *Stanley* said, that the hon. Baronet must well know that, even at Eton and other public schools, it would be a breach of the discipline of the schools, if a boy were to bring in a Bible at particular hours of the day. It was well known to them all, that a boy would be guilty of a breach of discipline, who brought into the school a Bible instead of his Horace or his Virgil.

Mr. *Anthony Lefroy* hoped, notwithstanding the impatience of the House, that the subject would be discussed, for he was sure, that the whole of the people were opposed to it; and if it were discussed, would defeat it.

Mr. *James E. Gordon*, in moving that the petition be printed, said, that the right hon. Secretary for Ireland had put the meaning of the provisions of the Bill for educating the poor in Ireland in a new light. He disavowed being actuated by bigotry, or by political or party spirit.

Petition to be printed.

Parliamentary Reform—Bill for England—Lords' Amendments.] Lord *John Russell* moved the Order of the Day for taking into consideration the Lords' amendments to the Reform of Parliament (England) Bill.

Order of the Day read.

The noble Lord said, that in rising to give the House an explanation of those Amendments which had been made by the Lords to the Reform Bill, and in moving, as he subsequently should, that the House do agree to those Amendments, he could not help congratulating the House and the country, that the Bill had been returned to them unchanged in its essential points, and unimpaired in its details. He was happy to add, that the amendments which the other House had made were such as did not require any lengthened consideration or would give rise to any doubt that this House would not agree to them. The first of those amendments was, in his opinion, an improvement of the Bill. It related to the clause in the Bill to which an amendment had been moved by the hon. member for Bodmin, for the purpose of preventing the future creation of freeholders for life, so as to prevent parties from giving votes for political purposes to those who were not *bona fide* freeholders. The Lords seemed to think that the clause as it stood was too restricted, and might deprive of votes those who might become possessed of *bona fide* freeholds, and they therefore added these words, "except such person shall be in the actual and *bona fide* occupation of such lands or tenements, or except the same shall have come to such person by marriage, marriage-settlement, demise, or promotion to any benefice, or to any office." The Lords thought, that the former clause would open too wide a door for the exclusion of many votes which might be *bona fide*. However, the amendment, he was sure, was one to which the House could have no difficulty in assenting. The Lords had made another alteration as to the votes for counties. In the Bill as it left that House it was enacted, that the person claiming to vote for a Knight of the Shire, as a leaseholder for a fixed term of years therein mentioned, should show that the lease was "to him" of the yearly value of 10*l*. The Lords, however, thought that not the value to the particular individual, but the *bona fide*, should be the standard, and they so altered it. To that also he thought there could be no objection. The next Amendment was in the 10*l*. clause, in which, after the words "warehouse, shop," the Lords added, "or other building." So that, by this addition, the franchise was extended, for persons possessed of an outhouse or stable of the yearly value of 10*l*. would be thus included. As this amendment was an extension, not a limitation, of the franchise, he was sure it would be gladly accepted by the House. In another clause, enacting that occupiers may demand to be rated, an amendment was made with relation to the landlord's liability to the poor-rates. The clause, recited "that in case of the tenant's default in the payment of the poor-rate, the landlord should be and remain liable for the payment thereof, in the same manner as if he had himself been rated in respect of the premises so occupied." Their Lordships had amended this clause by the insertion of the word "alone," and the omission of the word "himself," and the clause as amended ran, "such landlord shall be, and remain liable for the payment thereof in the same manner as if he alone had been rated," &c. No other amendment had been made with respect to the qualification of voters, but an amendment had been made with respect to the registration of voters. Any person having sent his name to be registered, if the proper officer should refuse to make the registry, had power to go before the Barrister for the purpose of proving that he had sent his name and description to the Registrar. Some amendments were also made with a view to secure the correctness of the registry: it was provided "that, where the Christian name of any person, his place of abode, or the local, or other description of his property, should be wholly omitted from the list, the Barrister should expunge the name of the person from such list, unless the matter or matters so omitted were supplied to the satisfaction of the Barrister, before he completed the list." According to the Bill as it now stood, therefore, a person sending his name to the Registrar with a mistake, had the power of proving before the Barrister what was defective in form, and if he neglected so to do, the Barrister might expunge the name. There had been another very important clause added to the end of the Bill, which referred to making out the lists of voters. In a previous part of the Bill, notices were required to be given on the 20th of June in the present year: that day, in fact, was fixed for the commencement of the machinery of the Bill. As it was now very probable, however, that the Boundary Bill would not have passed both Houses of Parliament before the 20th of June, it was thought right to add a clause enabling "his Majesty by an order made with the advice of his Privy Council, to appoint certain other days and dates before or upon which the respective lists of voters should be made out," and the machinery of the Bill carried into operation. Under existing circumstances it was thought that inserting any precise day would only be encumbering the Bill, and therefore power was given to the Crown, by an Order of Council to fix the dates. The effect of this clause was merely to omit the dates existing in the Bill, by which every facility would be given to voters, and every man concerned in carrying the machinery into operation would know what his business was, without defeating any personal interest. Those were the chief amendments. There had been several verbal corrections, many of which were necessary, and all of which would tend to render the Bill clearer and more effective. In conclusion he had only to state, and he did so with great satisfaction, that no amendment had been made in the disfranchising and enfranchising clauses, but that both were as extensive as when the Bill was sent up from the House of Commons. Whatever benefits the Bill was intended to effect, he had great pleasure in saying, that none of those benefits would be in any degree diminished or impaired by what had taken place since the Bill had left that House.

Sir *Edward Sugden* thought, that it would have been better if the House had been called to fix the date for the commencement of the registration in the present year; but considering the power to which it was proposed to delegate that authority, he would not insist on that objection. He must, however, object to the alteration which had been made in the 10*l.* clause, which would have the effect of considerably increasing the franchise. By the original clause, an individual having a beneficial interest in a house to the amount of 10*l.* yearly had a right to vote; but, as the clause was now amended, if the annual rent of the house was 10*l.*, and the individual to whom it belonged had only an interest of 5*s.* or of 10*s.* a-year in it, he was entitled to vote. Without animadverting, however, too minutely ne some of the verbal alterations made in the Bill, he meant to call the attention of the House to the means which had been adopted to secure the passing of the Bill. The Bill had not only come back from the other House; it had come back, without one objection to it being removed, or one alteration having been made in it in the other House, even to meet the views of those members of the Government who thought some of its provisions ought to be rectified. He had himself heard the noble and learned Lord at the head of the Law express an opinion, that he could not agree to one of the leading principles of the Bill, which evidently related to the 10*l.* franchise; yet, as the Bill had gone up to the other House, so it had been returned. He was the more surprised at this, when he knew the constitutional objections to the Bill, and remembered the sentiments to which his Majesty had given utterance. In June, 1831, his Majesty, in his Speech from the Throne, thus expressed himself:—'I have availed myself of the earliest 'opportunity of resorting to your advice 'and assistance, after the dissolution of 'the late Parliament.

'Having had recourse to that measure 'for the purpose of ascertaining the sense 'of my people on the expediency of a 'Reform in the Representation, I have 'now to recommend that important question to your earliest and most attentive 'consideration, confident that, in any 'measures which you may prepare for its 'adjustment, you will carefully adhere to 'the acknowledged principles of the Con-'stitution, by which the prerogative of the 'Crown, the authority of both Houses of 'Parliament, and the rights and liber-'ties of the people, are equally secured.'* Surely it was not to be supposed, that his Majesty, when he uttered these sentiments, contemplated the introduction of a measure by which the authority of both Houses of Parliament would be virtually destroyed. Let the House look also to what fell from Earl Grey in his reply on the second reading of this Bill, and let them compare his declaration with what had since occurred. He understood the noble Earl distinctly to have stated, that the House of Lords should have the whole control of the measure, and that no improper interference should be had recourse to for the purpose of carrying the Bill. What was the language of the noble Earl? The noble Earl said: 'When the Bill went 'into the Committee, he should certainly 'feel it his duty to resist any alterations 'which he might think inconsistent with 'the main object which the Bill proposed 'to carry into effect. But if it could be 'shown, that any injustice had inadvert-'ently crept into any of the schedules—if 'it could be shown, that any qualification, 'not so small as 10*l.*, would be less open 'to fraud and abuse—he would not resist 'the correction of such circumstances. It 'was, at the same time, perfectly true, 'that he should strongly oppose any 'diminution of the number of fifty-six 'boroughs, which it was proposed to dis-'franchise, and any increase of the 10*l.* 'which it was proposed to fix as the 'minimum of qualification. But the de-'cision on those points would depend on 'the House, and not on him.'† Here was a clear declaration, that their Lordships would be left to the free and unbiassed exercise of their judgment in dealing with the provisions of the Bill. How far that declaration—that pledge—had been acted up to or redeemed, was fresh in the remembrance of that House. What did this Bill do? Its first provision was, to destroy a large number of boroughs. Now, he would say that, in the best times of the Constitution, the rights of those boroughs were recognized. Some of the most useful laws which appeared on the statute-books were enacted in Parliaments in which Members sat for those boroughs that they were now about to disfranchise. Ministers had resigned, because, in the other House, it was deemed advisable to take the enfranchising clauses before the disfranchising. Yet it was strange, that the point of precedence had been considered in the House of Commons as a matter of little importance. In his opinion, the enfranchising clauses ought to have been decided on before the disfranchising; because, by proceeding in that way alone, could they come to a right understanding as to what number of boroughs it would be necessary to abolish. This he would say—that, by the extensive range of disfranchisement which had been agreed upon, they were virtually questioning the validity of those laws which were brought in, or were supported, by the Members who sat for those boroughs which they were now on the point of annihilating. This measure had been forced forward by the worst exertions out of doors. A letter from the King to Earl Grey had been published, which letter contained a statement, amounting to a pledge, that full powers should be placed in the hands of the noble Earl to carry this measure. He should be glad to know from what quarter that information had been received? Again an individual, named Colonel Jones, had, in a public print, stated the substance of a letter addressed by a noble Duke to his Majesty. Whence did Colonel Jones derive his knowledge of that letter? He felt certain, that Colonel Jones derived his knowledge of the letter in question from a high Government office.

Lord *Althorp*: Certainly not.

Sir *Edward Sugden* believed that the information did come from a Government office. Nay, he could state the office. He would with all his heart state the office; and the only difficulty he felt was, whether he could do so with propriety after the disclaimer of the noble Lord. He did, however, still believe that that letter, or the contents of it, came from a public office of great importance in the Government of the country. The language of intimidation which was used out of doors went beyond all constitutional bounds. Colonel Jones, to whom he had before alluded, in one of his recent speeches at a public meeting had thus expressed himself: —'Last week I addressed thousands under

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* Hansard (third series), vol. iv., p. 84-5.

† Ibid., vol. xii., p. 447.

'different circumstances. You are now in 'perfect safety: on that occasion I said, 'that if a few only would die, the guns 'that were planted on the heights would 'soon be in the hands of the people. 'Thank God! all fear upon that point is 'gone; and assuredly none but an ambitious soldier would calmly contemplate 'the murder of his fellow citizens.' Thus this gentleman, who was an eager partisan of the metropolitan clause, told the people, that if a few of them would die, the guns of the military would soon be in the hands of their coadjutors; and he insinuated that the troops were called out by those who, in fact, could not have had anything to do with the matter. Who placed those guns—if guns were placed, an assertion which he disbelieved—on that occasion? None but the Government could have caused them to be placed, and their only object must have been to preserve the peace and to prevent disorder. What were they to think of the probable Representatives under this Bill, when they found one of them, who, under its provisions, hoped to enter Parliament, telling a crowd, that if only a few persons would die, the rest would be sure to overcome the military? Such was the advice given; but he doubted very much whether the individual who gave it would be one of the first to attack the guns. In his sober and calm view of the question, it appeared to him that this measure was forced on the King by the most illegal and unconstitutional means that had ever been resorted to by any set of men. The noble member for Northamptonshire (Lord Milton) seemed to have made himself a party to those measures — those unconstitutional measures—which had been adopted out of doors, for the purpose of forcing this Bill forward. It was clear that such was the fact, if they were to believe a paragraph that had appeared in *The Times* newspaper of the 24th of May last. The paragraph ran thus:—'It may not be publicly 'known, that during the late crisis, one 'person, and that one of high station and 'rank, was ready to set a patriotic example 'in resisting a Government opposed to the 'just rights of the people. When the tax-'gatherer called on Lord Milton last week, 'he requested the tax-gatherer would call 'again, because he was not certain that 'circumstances might not arise which 'would oblige him to resist their payment.' Did the noble Lord admit the truth of this statement? [Lord *Milton:* Certainly.] Then he would say, that such a proceeding, countenanced by a man standing in the noble Lord's situation, was most dangerous. Nothing could be more dangerous than an act of this kind, sanctioned by an individual of such exalted rank and character. Here was a nobleman of high authority and of great possessions—one who ought to set an example of obedience to the laws —and what was his conduct? Why, he did that, which, if generally followed, would render powerless the whole machine of Government, by denying that necessary aid, by refusing that first and proper assistance, the call for which was founded on the laws of the land. He would ask, was it right that this Bill should thus be carried by illegal resolutions and by illegal acts? Was there, he demanded, a more dangerous or a more unconstitutional act than the refusal to pay taxes? This he would say, that if it were the last shilling which he had in the world, he should feel himself bound to pay it, if it were demanded from him in payment of a tax. Whether he paid it cheerfully or not, he should still deem it to be his duty to pay it. He might avail himself of his station as a Member of Parliament, to declare his sentiments as to any particular tax, but however he might object to it, still he would pay his last shilling to meet his assessment under that tax, and he should feel himself deeply responsible for any breach of the laws which might be committed in consequence of his pursuing a different line of conduct. He knew not how it was possible that any Government, no matter what, could stand, when assailed by strokes like these. It was also imputed to the hon. member for Southwark—a Master in Chancery, and receiving a large salary from the public money — a Gentleman closely connected with the Lord Chancellor, who must, therefore, know the law, and know his duties under the law, and who, whatever protestations he might make, would be believed by the people to be speaking the sentiments of that noble Lord—he (Sir Edward Sugden) altogether disclaimed that notion, but he repeated that it would be believed by the public—it was imputed to that hon. Gentleman, that he had told the people that it would be illegal in any number of them to agree together not to pay the taxes, and that they were liable to be indicted for a conspiracy, but that, when the tax gatherer called upon them, they should follow the example of the noble Lord. Was it possible, that an individual who exercised a judicial authority, and who, as he was called upon to execute the law, ought to be the first to set an example of obedience to it, should have made such a statement as this? Was it to be tolerated that men were to fill judicial situations, and at the same time to teach disobedience to the law of the country? What obedience could be expected if persons exercising the authority of the law should themselves tell the people, "Don't you obey the law?" This was not a question between the two sides of that House—it was not a question of Reform or no Reform, but it was a question as to the existence of the State or not. He spoke as a member of the State—he spoke as one desirous of having a good and sound Government—and he would ask, whether those who had taken the course which he had described, and which was hostile to all good government, had not pursued that course for the purpose of supporting his Majesty's present Government? What effect was such proceedings likely to have upon the people? He would say, the most baneful and deplorable effect. He had a fair and honest feeling for the people—no power on earth should ever dissever him from the great body of the people—he would do every thing in his power to make the lower orders happy and contented—but he warned those who had been trying the experiment, against attempting to make the people an engine for the accomplishment of political purposes. That engine would perhaps recoil, and ruin and devastation must be the consequence. There was another measure which had been adopted, that could not be sufficiently reprobated; to bring the Government to terms, a run had been made upon the Bank. Was there ever a more dangerous line of conduct? That was destroying the prosperity of the country, in order to aim a blow at the Government, and it was done by those whose duty it was to support the Government. Again, a similar attack had been made through the means of the Savings Banks. He had a great respect for the lower orders, and he should never separate his happiness from that of the great body of the people; but he would lift up his voice, if he could make his voice heard, to warn them against making their property and its security the means of effecting a political purpose. That would render it necessary for the Government to take from them the power of putting their savings into the Government securities, for it never could be borne that they should have it in their power, while their own property was perfectly safe, to damage the property of all the other creditors of the State. No Government could exist if these laws were not altered; for it was the duty of Government, while it provided for the security of others, not to do that at the expense of itself. After this example, he thought it would be necessary that the Savings' Banks Acts should undergo a revision. Let who would be in Administration, they must take care to maintain the Government. The present Government had, on coming into power, made terms with their Sovereign. Their conduct was such as to compel the other House to abdicate its functions, or else to suffer itself to be swamped and overflowed with an immense creation of Peers. When, in 1831, the King called on Parliament "carefully to adhere to the acknowledged principles of the Constitution, by which the prerogatives of the Crown, the authority of both Houses of Parliament, and the rights and liberties of the people were equally secured," he would ask, whether his Majesty could have contemplated such a measure as this? He would ask, whether the Bill had not entirely destroyed some of the most important parts of the Constitution? He had gone into the House of Lords, and he there saw, with sorrow and pain, the mockery with which that Bill was carried. He demanded whether the Bill of the noble Lord, so far from supporting the authority of the House of Peers, had not, in fact, destroyed the power which was formerly possessed by that House? Was this a measure agreed to in consequence of the calm deliberation of that House, or a measure forced forward by letters, by threats, and by denunciations, out of that House? They might now almost speak of it as an historical fact, that the Bill was not considered in the other House with due and serious deliberation. It had been acceded to much in the spirit that would have distinguished a Turkish Divan. It was carried by the sole authority of Ministers, without receiving the slightest aid from the labours of their Lordships. The former Bill had been rejected by their Lordships, and he should be glad to know what was the difference between that measure and the present, which had been agreed to? The fact was, that the Bill was carried by a minority, who, by illegal threats, had overcome a majority. They had been told in that House that if there were anything wrong in the Bill, it might and doubtless would, be remedied in the House of Lords. Had they not been deceived? What became now of that forlorn hope? He did not speak in that House for pleasure, but, as an independent man, he wished to do his duty to his country. He stood there as boldly and as proudly as any noble Lord, notwithstanding the smile or the sneer of the noble Lord opposite. He should hereafter watch those who, in consequence of the part which they had taken with reference to this measure, were called to the other House of Parliament. He would mark them as individuals undeserving the public confidence, undeserving the name of Englishmen. Those individuals who had undermined the honour, the integrity, and the independence of the House of Lords—who had destroyed its lustre and brightness, and who were now willing to enter that House themselves—those individuals he should most assuredly mark. He had from the commencement honestly opposed this Bill; but the House would, he was sure, give him credit for having honestly done another thing—namely, for having exerted his best faculties to render the Bill just and perfect. This he had done at some expense of time and labour. He should only further say, that if this Bill passed, as of course it would, he would endeavour to prepare himself to live under its provisions. These operations of the Government, indeed, were, in his opinion, entitled to the most serious consideration. They had already had a most alarming effect on the other House, and what might be expected when the Bill came into operation? Much responsibility would be on those who had opened these flood-gates, and let out the waters of desolation. He, like a worthless straw, might float idly and securely down them, but he should witness others sink, overloaded with honours and wealth. He would not throw the slightest obstacle in the way of this measure when it had become law; but he would prepare himself to live under that new Constitution which he had not made, but which had been forced on him. It would be idle, it would be mere folly, to say that they were not about to live under a new Constitution. Already had the power of the other House been lessened, and he earnestly hoped that it would not, under the new system, be finally extirpated. He, however, relied and with confidence, on the good sense, the moderation, and the conservative principles of the great body of the people. To these he looked for preservation from those calamities which this Bill was calculated to inflict on the country. With regard to Political Unions, the noble Lord said, that they would die out of themselves, and he had no objection to try the effects of this Bill on them; but he would say, looking to the way in which it was carried, that it was absolutely necessary, whether the Government were Whig or Tory, or composed of both, that an end should be put to those local Parliaments, which, on the present occasion, had interfered so decidedly with the proceedings of the Legislature. It was absolutely necessary, let who would be Minister, to put down these Unions, which unless they were checked, would subvert the whole authority of the State.

Lord *Althorp* said, he did not mean to trouble the House with many observations on the amendments which had been made in the House of Lords. Of most of these amendments he entirely approved. With respect to the alteration in the 10*l.* clause, which had been objected to by the hon. and learned Gentleman, he confessed, that it gave him great satisfaction, as its effect would be to extend the franchise. The interpretation of the hon. and learned Gentleman was opposed to the whole tenour of the clause, and therefore he could not agree with him in his conclusion. The hon. and learned Gentleman, however, had not confined himself to the amendments in the Bill, but had taken the present opportunity of going into a much larger and wider discussion with reference to the conduct of his Majesty's Government. In the course of that discussion he had imputed to Government a degree of blame on several points which he was not justified in imputing to it. The hon. and learned Gentleman had asserted, what he had before stated on one or two occasions, that the alterations which it had been contemplated to make in the House of Lords had been defeated, contrary to an express understanding, in consequence of intimidation. Now, what was the fact? His (Lord Althorp's) noble friend at the head of the Government had fairly stated, that he was prepared to accede to any proper alterations that might be proposed in the Committee. He had plainly said in the House of Lords, that when the Bill was in Committee, he would leave it to their Lordships to deal with it as they thought fit—that he would leave it to them to make whatever alterations they pleased. The Bill was so left to their Lordships. But certainly his noble friend never meant to state, and never stated, that he would accede to any amendment that interfered with the principle of the Bill, or that militated against its chief provisions. His noble friend had stated, repeatedly and distinctly, that he would not agree to, but would decidedly oppose, any such alterations. He could refer to what his noble friend had stated in his reply on the second reading of the Bill (though he had not the good fortune to be present on the occasion), as decisive with respect to this point. His noble friend's statement on that occasion clearly showed that he contemplated no abandonment, neither had he abandoned any pledge which he had given. It was alleged that in a debate which formerly took place in that House, his Majesty's Government had held, that the question of commencing with the enfranchisement or disfranchisement clauses was a matter of no importance. He believed, so far as his memory served him, that he had not made any such statement. He did not mean positively to deny it, but he did not think that he had made such an observation. It was quite clear that this was not a mere question of precedence, having no importance attached to it. On the contrary, it was evident that it was connected with one of the main and vital principles of the Bill. The point on which the decision in the other House turned was, that schedules A and B should be set aside until the enfranchisement clause was carried, for the purpose of seeing how many of the obnoxious boroughs might then be retained. But on what principle did the Bill proceed? It proceeded on this clearly defined principle, that those nomination boroughs were a direct evil in themselves, and therefore that they ought to be removed. This being the case, it was impossible for Ministers not to feel, that the decision which had taken place in the other House, with respect to the postponement of those schedules, was directly at variance with the chief principle of the Bill; that principle being to do away with the nomination boroughs. What, then, were Ministers to do under these circumstances? Could they, as honourable men, give up every pledge which they had held out to the country, and continue in office, submitting to have the principles of the Bill which was confided to their management broken down one after another? Seeing the situation in which they were placed, they could not resist taking the step which they had done. Under all the circumstances, they felt it to be their duty to give such advice to the Crown as they conceived they were justified in giving by the exigencies of the time. The hon. and learned Gentleman had referred to several imprudent incidents which had occurred in the state of excitement which at present existed—incidents which it was extremely natural should occur during the existence of such excitement, and every one of which acts of imprudence had been exaggerated by the hon. and learned Gentleman. The hon. and learned Gentleman had referred to speeches made at public meetings held under such circumstances, and the sentiments contained in those speeches he had attributed to his Majesty's Government, and had made them responsible for them. Now, in his opinion, nothing could be more unfair or unjust than to do so. The hon. and learned Gentleman said, that Colonel Jones was in communication with his Majesty's Government. He certainly was acquainted with Colonel Jones, and he occasionally conversed with him on meeting him in the streets, but to say that therefore Colonel Jones was in communication with him as a member of his Majesty's Government, was the most unfair and unfounded charge that could possibly have been adduced against him. [Sir *E. Sugden:* I said no such thing.] The hon. and learned Gentleman had referred to the opinions expressed by Colonel Jones at a public meeting, and he further referred to some information which he insinuated Colonel Jones had received from his Majesty's Government. That information, he (Lord Althorp) believed, referred to a letter which it was stated had been published in *The Times* newspaper, and it was stated at the time that the complaint had been made elsewhere on the subject, that that letter was inserted verbatim in *The Times*. Now it happened, on inquiry, to turn out that such a letter had not been inserted in *The Times* at all. The hon. Gentleman seemed to think, that this was not a matter of any importance, but certainly, when a noble Peer complains that a letter has been inserted verbatim in a newspaper, and when, in point of fact, it turns out that not an atom of such a letter has been published in that newspaper, and when only a general reference was made to it, and when a statement was given by Colonel Jones of what had taken place—a statement which he might have derived from other individuals as well as from the members of his Majesty's Government—the circumstance that he (Lord Althorp) had mentioned was not of that slight importance that the hon. Gentleman would seem to insinuate. He firmly believed, that whatever information Colonel Jones had of the letter in question, he had not derived it from any member of his Majesty's Government. That statement he could make with the utmost confidence. The hon. and learned Gentleman had proceeded to state what was the consequence of the debate in the House of Lords. The hon. Gentleman said that the House of Lords had been compelled by force, and against its conviction, to adopt this Bill, and that he imputed to his Majesty's Government. It was not for him (Lord Althorp) to decide as to what influenced their Lordships in passing this Bill; but when the hon. Gentleman talked of force, he begged to tell him, that the only force put upon the House of Lords was that put by the universal voice of the people of England; and the House of Lords, he supposed, thought it no longer desirable to resist the wishes of the united people of the three kingdoms. In that manner, and in that manner only, could it be said, that the House of Lords had been forced to the adoption of this measure. He knew not whether such were the grounds which had induced the House of Lords to take the course which they had taken on this occasion; but if they were, he would only say, that they were grounds upon which the House of Lords had acted, and by which they had been influenced, in regard to the decision of other important questions recorded in the history of the country. With respect to them (the Ministers) coming back into office, the hon. and learned Gentleman had said, that they had come back into office upon conditions. The only condition upon which it was possible for them to return to office was, the having the means of carrying the Reform Bill. They did not wish to use such means in any manner inconsistent with the Constitution of this country, but they did feel that an extraordinary crisis had arisen in the country—that the safety of the country and the well-being of the people rested upon the carrying of this measure of Reform—and they felt, therefore, that they should not be doing their duty to their Sovereign or to the country, if they returned to office without being armed with full powers to ensure the carrying of the measure. That was the principle upon which they had again accepted office—that was the principle upon which they had acted; and it was their determination not to resort to the extraordinary means to which he had alluded, unless such an alternative should have been forced upon them. He was happy to say, that such had not been the case. The hon. and learned Gentleman spoke of the consequences which he apprehended from this Bill, and he had told them, that his only dependence for the future was upon the good sense of the people of England. That was also his (Lord Althorp's) dependence; and if he did not depend on the good sense of the people of England, he should not have been one of those who advised that House to place power in their hands. He had done so, because he thought them well qualified to exercise such power; he had done so, because he looked upon them as arrived at that state of knowledge, and were in that enlightened condition, and as possessed of that good sense and sound feeling, which would make them use that power only for the benefit and prosperity of their common country.

Sir *Robert Peel* said, that the question before the House being whether they should assent to certain Amendments introduced by the House of Lords into the Reform Bill, he, without hesitation, would declare that he was ready to give his assent to them, nay, more, that if they had been proposed for his adoption last night, without even being printed, he should have been ready to signify his acquiescence; for he was one of those who thought that it would be a mere mockery to consider the value of Amendments made by a body which was not in the exercise of its independant constitutional powers. Under other circumstances, as these Amendments extended to five or six pages, and as they related to the most important Act that had been passed during the last century, he might have been inclined to ask for some days to consider them, yet, when he called to mind that they were Amendments made by the House of Lords under menace and compulsion, he cared not on what day, or how soon, he should be invited to agree to them. They were mere amendments of detail permitted by the Ministers, and not amendments reflecting the real opinions and independant judgment of the House of Lords. The noble Lord had gravely congratulated the House upon the well-known fact, that the essential principles of the Bill had not been altered by those Amendments, and surely he might have spared this taunt upon the other House of Parliament. Whoever dreamed that those Amendments had been introduced by a House of Lords in full possession of its legislative and deliberative powers? Was it not notorious that threats were held out to them—was it not notorious that they were menaced by a new creation of Peers, unless they passed this measure without any alteration of its essential principles? The noble Lord had acknowledged that a creation of Peers had been intended for the purpose of carrying the whole Bill, and he had justified the exercise of the prerogative, if it had been found necessary, by a reference to the circumstances of the country. But did not the noble Lord's admission prove, that the House of Lords had passed the Reform Bill under circumstances, and in a state nothing short of compulsion? He (Sir R. Peel) had no hesitation in saying, that if he had been a Peer, he would have persisted in opposing the Bill, perfectly uninfluenced by the consideration whether such a course of proceeding might possibly lead to the creation of sixty or a hundred Peers. He would rather have forced the Government into the unconstitutional exercise of power, than have refrained from giving his opposition to the Reform Bill. He was ready to admit, however, that after what had taken place—that after the failure of his Majesty to form an Administration, and after the situation in which his Majesty and the country were placed—he was ready to admit, he repeated, that, under such circumstances, he considered the case as altered, and that he did not think that the slightest reflection could be cast upon men who, in such a position of affairs, and swayed by the most honourable motives, had abstained from the exercise of their legislative functions, in order to rescue the King from a dilemma in which no Sovereign in this country had ever before been placed. The noble Lord had referred to the circumstances under which the passing of this Act was about to take place, and he had stated that it was essential to the tranquillity and welfare of the country. Now, admitting for a moment the noble Lord's proposition—allowing that the country had been wrought up into such a state of excitement that no safe alternative was left to them, but to pass this Bill, still he would say, that the Government were themselves to blame for the necessity which thus left no choice, no discretion to the Legislature. The whole tenor of the conduct of his Majesty's Government since this Bill had been introduced, their studious efforts to fan, rather than to assuage the flame of excitement which the mere production of such a measure was certain to create, had involved them in their present difficulty. He was ready to admit, that it would be hardly fair to make the Government responsible for the imprudent acts of any individual. The noble Lord had admitted, that he was personally acquainted with one that had been named in this debate (Colonel Jones), but claimed a right to be exempted from any responsibility on account of his acts or sentiments. He could not deny such a right on the part of the noble Lord; but this he would tell him, that the acts performed, and the sentiments avowed by the members of the Government themselves, were calculated to add to the excitement which prevailed, and for these —and not for the violence of others—did he hold the Government responsible. The noble Lord (Lord Althorp) must recollect the declaration which he himself made at a period when this country was agitated from one end to the other—the noble Lord must recollect, that at such a period, he, being one of the Ministers of the Crown, took upon himself to justify the exhibition of the tri-coloured flag, even under the eyes of the Sovereign [*hear, hear.*] Some hon. Gentlemen behind the noble Lord might cheer that sentiment, and consider the expression of it creditable to the noble Lord; but he would assert, that a sentiment of the kind should never have been uttered by a responsible Minister of the Crown, who was anxious to soothe the violence of an inflamed populace. He believed that it was afterwards admitted by some of the noble Lord's friends, that it was a hasty declaration; but he did not think that the noble Lord was less responsible for the utterance of it. Declarations equally dangerous to the public peace, had been made by the noble Lord, the member for Devonshire. [Lord *John Russell* here observed that he had not advised the refusal to pay taxes.] The noble Lord entirely mistook him. He never meant to impute to the noble Lord a participation in the abominable doctrine, that a subject of the King upon his own sense of existing grievances or imaginary wrongs, was justified in refusing the payment of taxes. What he meant to refer to was, a letter of the noble Lord's which had been published, in which the opposition of the House of Lords to the Reform Bill was characterized as the "whisper of a faction." When expressions such as these, with reference to the House of Peers, fell from persons filling the situations of Ministers of the Crown, what other purpose could they serve, but to add to the excitement that already existed, and to lead to the destruction of the independent councils of that branch of the Legislature? It certainly was not just to make individuals of a party responsible for all the violent declarations of the Journals which espoused their principles, or advocated their views; but, on the other hand, if they found one newspaper in the constant habit of publishing matters that could only come from persons in official situations, and afterwards promulgating sentiments of the most revolting nature, calculated to excite a desperate mob to the assassination of those who were opposed to them in political opinions—the public could not easily discriminate—they saw the prompters to violence on one day, made the chosen organs of the Government on the next—and inferred that while such a connection existed, the Government did not heartily and effectually condemn the atrocious language to which he referred. The acts of his Majesty's Ministers, the declarations which they had made, and the conduct which they had so unwisely, and, for the country, so unfortunately, pursued—these were the things which had brought us to the present pass, and for which his Majesty's Government were held justly responsible. He viewed with the utmost anxiety and apprehension the passing this Bill. He might admit, that there was no other alternative now left to them but to pass it—he might admit, that the House of Lords had no other means of escaping from the annihilation of their independance, but to withdraw their opposition from the Bill; but they might depend upon it, that the passing of this measure, in the manner in which it would pass, would form a fatal precedent, one to which his Majesty's Government might again and again recur for the purpose of procuring assent to other measures, which, in obedience to the popular clamour, they might bring forward. Whenever the Government came to deal with the Corn laws, or other questions calculated to excite the feelings, and inflame the passions of the people, the precedent furnished by the present occasion would be appealed to; and if they should be placed in similar circumstances of difficulty and of excitement, the necessity of restoring tranquillity would be made a plea for menacing, and, if necessary, for destroying the independence of the House of Lords. He could not avoid again referring to the sentiments which the noble Lord opposite (Lord Milton) was understood to have avowed on a recent occasion. That noble Lord, it was said, had stated, that if his Majesty formed any other Government than the present, or if he refused to give the royal assent to the Reform Bill, he (Lord Milton) would refuse to pay the taxes. How could they expect obedience to the laws if such were the doctrines promulgated by persons in high station? Would the poorer classes of society quietly submit to the payment of their taxes, if the noble Lord, who was blessed with an affluence which they did not possess, should refuse to pay those to which he was subject? Upon what grounds, or by what right, would he enforce the payment of tithes, or rates, or rent, if his was the true doctrine—that men on their own view of public grievances were justified in resisting the authority of law? He (Sir Robert Peel) knew not how any regular Government could be maintained, if persons filling the situation in society of the noble Lord—the supporters and the friends of the Government—should set an example, which evidently tended to a dissolution of the bonds of society, and to the destruction of all law and all social order. How, he repeated, could Government exist, if each individual, following the example of the noble Lord, was to constitute his own feelings and passions and not the law, as the rule of his conduct, and make himself the sole judge of the policy and duty of obedience to his Sovereign? He had already said, that he looked with apprehension to the consequences to be expected from the passing of this measure. At the same time, no man in the country would more desire to see the failure of his own predictions, and no man, would do more to prevent, if possible, their accomplishment. They were now upon the eve of that which the noble Lord (Lord Althorp) and his right hon. colleague (Mr. Stanley) had acknowledged to be a perilous experiment. That was the expression used by the right hon. Gentleman, and, in his opinion, most correctly used. Under such circumstances, he thought it the duty of all persons, and more especially of those connected with the executive government, to diminish, as much as possible, the admitted peril of the experiment; and as much would depend upon the issue of the first general election, he did hope that a dissolution would not take place, without the passing of those precautionary measures by which even the authors of the Reform Bill declared that it ought to be accompanied. He was aware that there was a clause in the Bill, giving the Government the power to dissolve the Parliament without waiting for the passing of the Boundary Bills, or the completion of the Registry. He apprehended, however, that that clause was assented to by the House of Commons upon the express assurance of his Majesty's Government, that it was meant to meet, not a practical, but a theoretical difficulty; not a probable, but a barely possible occurrence. The clause had been proposed and passed, for the single purpose of guarding against an embarrassment which might arise in the event of a demise of the Crown before the assembly of the new Parliament. He did not believe, therefore, that the King's Government contemplated a measure, than which, he would say, a greater fraud could not be committed on the Parliament, namely, a dissolution, under present circumstances, without the passing of the Boundary Bill and the completion of the Registry. It was only on the understanding that the Boundary Bills would be passed previous to a dissolution, that the clause he had referred to had been inserted in the Bill. If a dissolution were now resorted to, and if the persons possessed of the new right of voting should be allowed to exercise it without the check of registration, the greatest calamity would be inflicted on the country, for he would again repeat, that the character of our future measures would mainly depend upon the result of the first general election. He was sure, that on that side of the House no unnecessary delay or obstruction would be thrown in the way of the passing of the Boundary Bills. Let the noble Lord opposite take what course he should think most expedient to facilitate their passing, and he (Sir Robert Peel) would promise him that no vexatious impediment should be offered. As the present was a self-condemned Parliament, it was not likely that it would ever again meet for the transaction of public business; and, as soon as the preparatory measures were completed, a dissolution would follow as a matter of course. At the same time he hoped there would be an interval in which the present excited feeling might give place to more sober views. He heard with regret the declaration last night made by the hon. member for Middlesex, who, though he formerly told them that this was to be a final measure, then said, that he did not care whether the amount of qualification was fixed at 10*l*. or 5*l*., as he was sure, after the passing of this measure, to be able to insist on the latter as the limit. Taking that declaration as an index of present temper, he thought that time should be afforded for abating the passions and cooling the excitement of the people. What man, he would ask, interested in the well-being of the country, could advocate the existence of these Political Associations, whose avowed object was, to control the right of voting? He understood that there was no intention on the part of Government to interfere with these Political Unions; but they expressed their confident hope that the good sense of the people would ensure their suppression. But if the Political Unions made their sittings permanent, if they obtained the control over the right of voting conferred by the Bill—whatever hon. Gentlemen might think of the form of Government under which we had lived for the last fifty years, in his opinion there had been no grievance heretofore sustained half so intolerable as the domination which was to come. He hoped that his Majesty's

Government were justified in the confidence which they placed in the good sense of the people of England, but, if they were disappointed in their expectations, he hoped they would then have confidence in the good sense of the Legislature and in the strength of the constitutional power to vindicate the authority of the law, and would rescue them from the wretched and degraded tyranny under which they would otherwise be compelled to live. By the King's Speech, made at the opening of the Session, the Ministers were in some measure pledged to this. In his Speech his Majesty says —'Sincerely attached to our free Constitution, I can never sanction any interference with the legitimate exercise of those rights which secure to my people the privileges of discussing and making known their grievances; but in respecting these rights, it is also my duty to prevent combinations, under whatever pretext, which, in their form and character, are incompatible with all regular government, and are equally opposed to the spirit and to the provisions of the law; and I know that I shall not appeal in vain to my faithful subjects, to second my determined resolution to repress all illegal proceedings by which the peace and security of my dominions may be endangered.'* They were then about to give their final assent to that Bill the desire for which was said to be the chief cause and justification of Political Unions. With the cause, then, the effect ought also to cease. If it did not, it would become the duty of this House to consider, before the separation of Parliament, the propriety of redeeming the pledges placed in the mouth of his Majesty and of putting an end to proceedings, the continuance of which, were declared from the throne to be inconsistent with all good government, and opposed alike to the provisions and spirit of the law, and to the liberty of the people.

Lord *Milton* said, that he had been so much alluded to in the speeches of the learned Gentleman opposite, and of the right hon. Baronet, that he was sure his right hon. friend near him (Mr. Stanley, who had risen with his Lordship) would allow him to take this opportunity to reply in a few words to their observations. It was in human nature, perhaps, to magnify the importance of an existing crisis. We did not always take as clear a view of that which was present as of that which was past, and he might have given an answer to the hon. and learned Gentleman which was not exactly what it ought to have been. If, in his observation to the hon. and learned Member opposite, he had admitted the truth of the hon. Member's assertion, with respect to the avowal on his part of the possibility that a state of things might occur which would entail on him the necessity of a refusal to pay taxes, he did not rise at that moment to deny or retract the statement which the learned Gentleman had attributed to him; and he would say, that if it had been thought by persons who had reflected deeply upon the Constitution of this country, and upon the nature of government itself, that occasions might arise when individuals would not be bound to follow the strict letter of the law—if, he repeated, such a principle as that was to be admitted, it must also be admitted, that cases might arise wherein dividuals would be justified in acting in conformity with such a doctrine. He had already said, that the human mind was apt to magnify the importance of a present crisis; but it was, nevertheless, for the individual to determine when the principle in question should be acted upon; and it was out of the question to say, that it was illegal to take a certain course when men were placed beyond the pale of the law. Upon what principle, he would ask, did the House of Brunswick sit on the throne of these realms, or upon what principle had the Revolution of 1688 been accomplished? Would any man say, that that Revolution was brought about according to the forms of law? Would any man say, that it was effected by two Houses of Parliament sitting there, and whose act was assented to by a King, not merely *de facto*, but *de jure*, on the throne? No; that was one of those *nodi* in the history of nations, where men must act upon first principles, and not the strict letter of the law. He was extremely happy that the cause of the late crisis had passed away, but they would give him leave to say, that there was something peculiar in it. Without questioning the strict right of the other House of Parliament to interfere with a bill sent up to it from that House, he would say, that if it was possible to conceive a case in which the other House of Parliament ought to have exercised the greatest delicacy, not towards that House only, but towards the people at large, that was the

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* Hansard (third series) vol. ix. p. 4-5.

Reform Bill. He would not go the length of denying the right of the House of Lords to interfere with such a measure, but he would say this—that in doing so, this consideration should have weighed with them, that it was a case in which they had no concern. He wished to know what concern the House of Peers had in a question that related to the mode in which the people were to be represented in that House. He saw that the expression of such an opinion excited astonishment amongst hon. Members opposite; but he was prepared to maintain, that the Representation of the people was a matter in which the House of Lords, as a House of Lords, had no concern. Whether the people were represented by close boroughs, or through some other medium, was a question in which the House of Lords, collectively considered, was not concerned. He was ready to admit, that individual Lords were, no doubt, concerned in the matter; but that House, in its legislative capacity, was not. [An *Hon. Member:* What was the Septennial Act?] The Septennial and Triennial Acts were of a different nature, and related only to the duration of Parliament, not to the composition of the House of Commons. He might also observe, that the Acts for the disfranchisement of Grampound and East Retford, were, in some measure, of a judicial nature—acts of punishment as well as reformation, of which the Peers might properly judge. With reference to the conduct of Ministers, he conceived that they were perfectly justified in advising his Majesty to create a large number of Peers, if it had been necessary to insure the success of the Reform Bill. An analysis of the division of the other House showed, that a large majority of the Peers who voted in favour of the Bill were Peers who sat in virtue of titles existing previous to the reign of George 3rd; that a large majority of its opponents were Peers whose titles were of modern creation; and that circumstance, he contended, proved that the ancient hereditary peerage of the land were in favour of the measure.

Mr. *Stanley* said, that he did not regret having given way to his noble friend, because observations had been made on his noble friend's personal conduct, and he could, therefore, not stand in the way of affording his noble friend the first opportunity of answering them; but he did deeply regret some of the sentiments expressed by his noble friend on this occasion, sentiments from which he entirely, completely, and altogether dissented. He must say, that it appeared to him, that there was no matter which should be more carefully avoided, but more especially at the present period, than the discussion in the House of Commons of such a difficult, delicate, and abstract question as that to which his noble friend had referred. If ever there was a period when such a discussion should be avoided, it was the present. If there was one subject more difficult than another, it was that which involved the theoretical principles and practical working of the Constitution of this country; and again he would say, that the nice point to which his noble friend had referred was not a fit subject for discussion in that House. He differed entirely from his noble friend in the opinion that this was a measure in which the House of Lords had no concern. He did not think, that a question like this, which went to regulate the balance of the different branches of the Constitution, was one in which the House of Lords should have no voice; and, if upon that point he agreed with the right hon. Baronet opposite, he must, on the other hand, be permitted to say, that if the House of Lords, on such a question, should persist in their opposition to that House, so as to destroy the balance between them, the other branch of the Legislature, the Crown, would be justified in restoring that balance by a creation of Peers, and thus establishing a harmony again between the two Houses. Undoubtedly the House of Lords were deeply concerned and interested in every question relating to the constitution of the Legislature; but he must not, therefore, admit, that the House of Lords, as a body, should be entirely independent of all the other parts of the Constitution. If such a principle as that were to be admitted and acted upon, we should not be under a mixed government, but under the government of an oligarchy. If such an indefeasible power as that were to be given to the House of Lords, it would obviously be inconsistent with the whole working of the Constitution, and with the respective and peculiar powers and privileges of the King and the House of Commons. The hon. and learned Gentleman had asserted, that after the passing of this Bill, those who should accept that which had been hitherto considered an honour, would be degraded by the circumstance. The hon. and learned

Gentleman said, that they would be degraded in the eyes of the people of England, and that he would mark them and point them out as objects for their contempt, and as persons with whom he would not associate, as persons deserving—

Sir *Edward Sugden* denied the words attributed to him.

Mr. *Stanley* continued. The learned Gentleman had contradicted him, not in the most courteous manner, but he was in the recollection of the House, and would adhere to his statement.

Sir *Edward Sugden:* The right hon. Gentleman is attributing expressions to me which I altogether disclaim and deny, and turning me into ridicule for expressions which I did not use.

Mr. *Stanley* would repeat, that the learned Gentleman had used expressions very like them, at least, to mark the strong feeling which he entertained of the disgrace which would attach to the personal character of any man who should hereafter accept an elevation to the peerage. He should like to know how long the *veto* of the learned Gentleman upon the prerogative of the Crown was to be continued? and at what precise moment or period he intended it should expire? How long, he would ask, might the Bill have remained pending, if the privilege of the Crown was not to be exercised? If the hon. and learned Gentleman wished to find a mode by which to render it impossible to work the affairs of the British Constitution, it was in the use of that immutable and interminable *veto*, which, while the House of Lords thought fit, was to be put upon the Reform measure. The hon. and learned Gentleman had thought fit to charge on his Majesty's Government all the various acts which persons of heated and strongly excited feelings might, by word or writing, nay, almost by thought, have committed, during a period of time when the whole nation was in an agony of suspense. The conduct of Colonel Jones had been spoken of as if the Ministers were responsible for it. The newspapers, too, had been objected to, and the language of those who advocated the measure of Reform attributed to Government.

Sir *Edward Sugden* denied that he had made any such imputation.

Mr. *Stanley*. Then the newspapers had been objected to by the right hon. Baronet, the member for Tamworth. But the hon. and learned Gentleman would not deny that he had alluded to the run upon the Bank for gold, and upon the Savings Banks for the withdrawal of deposits. Did the hon. and learned Gentleman mean to bring forward these occurrences as a charge on his Majesty's Government?

Sir *Edward Sugden:* They were the consequences of the acts of the Government.

Mr. *Stanley:* The hon. and learned Gentleman says, they were the consequences of the acts of the Government. Now, he would contend, that the hon. and learned Gentleman had made it matter of grave charge against them, though he was now pleased to soften down the expression into "the consequences of their actions." The fact was, that, during the time when the present Administration was out of power, and the country full of apprehension that the hon. and learned Gentleman, the right hon. Baronet, and their friends, might come into office, the people of the country thought that their money was not safe, and hence the run upon the Bank for gold; and did not both the hon. Gentleman and the right hon. Baronet know, that the events to which he was alluding, not only produced the run upon the Bank of England and upon the Savings Banks, but also greatly depreciated English as well as foreign Government securities? Did not the apprehension that the right hon. Gentleman opposite might come into power, and the expectation of a general war consequent upon that apprehension, produce a depreciation which for a long time past had not been equalled? If the hon. and learned Gentleman doubted that, he might bring in a bill for the purpose of preventing in future the depreciation of public securities through the operation of public events. How could it for a moment be imagined that an hon. and learned Gentleman, possessing the experience which belonged to him, could suppose that the present Ministers of the Crown were to blame for that decline in the value of the public funds, which arose out of causes over which they could not by possibility exercise any control?

Sir *Edward Sugden:* I never said any such thing.

Mr. *Stanley:* When the hon. and learned Gentleman could prove that those things could not and ought not to affect the public credit, then, and not before, could he with any show of justice or consistency make the charge which he preferred against his Majesty's Government.

Sir *Edward Sugden* again denied the statement of the right hon. Gentleman.

Mr. *Stanley:* The hon. and learned Gentleman would have an opportunity of explaining when he had concluded the few observations with which he meant to trouble the House. The right hon. Baronet had referred to some newspapers, and endeavoured to affix the same responsibility upon Government with respect to them, that the hon. and learned Gentleman had sought to establish with respect to the rise or fall in the public securities. He had alluded to a particular paper, and no doubt it was a journal which often obtained information previously known to only a few: but could such a fact warrant the assertion, that that newspaper spoke the sentiments of the Government, even though it might obtain its information from persons connected with the Government? If, however, there was one paper more than another which was distinguished for hostility to his noble friend at the head of the Government, that was the publication in question. For what might appear in that paper it was rather hard to hold the Government of the country responsible, when the fact was not to be disputed, that, so far from giving efficient support to the measures of Government, it was marked by the most decided and rarely-ceasing hostility to the head of that Government. Was it on such grounds as these that such interference by the Government was to be inferred, or was it from this to be contended, that the Government were to be held responsible for every thing written or stated by that newspaper to which allusion had been made? The inference was one which he (Mr. Stanley) should never have imagined the right hon. Baronet would have drawn. He would now notice some other charges which had been brought against other members of his Majesty's Government. His noble friend near him had been charged with having vindicated the display of the tri-colour flag in the presence of the Sovereign, during the excitement, as it was alleged, which arose out of the Reform Bill. A short reference to facts would place that accusation on its true footing. In the first place, the day on which the exhibition took place was in the latter end of the month of November, in the year 1830; and it was not for three months afterwards, namely, on the 1st of March, 1831, that the Reform Bill was introduced. It was, therefore, impossible to establish any connexion between the two events. There remained, however, one other fact to be mentioned, which he had just learned from an hon. friend near him, which was, that there was no tri-colour flag in the case at all; but, on the assumption that there had been, his noble friend treated its display in the only way in which, with any justice, it could be treated, not as an insult to the Sovereign, but very much to the contrary, as regarded any constitutional monarch. It was merely intended as an expression of the legitimate admiration shared by the whole British people—an admiration not at the time disclaimed by the right hon. Gentleman opposite—of the noble struggle successfully maintained by a great people against an oppressive and unendurable tyranny. His noble friend, on the occasion to which he was alluding, had truly told them, that the people of England were not democratic, that they knew the value of the Constitution which they possessed, and that to call them the advocates of democracy was to pronounce upon them one of the grossest calumnies that could be uttered against the people of England. It should not be forgotten, that, at the time of the overthrow of the late French government, it was universally felt throughout England, that the then Administration of this country were favourable to the ancient order of things, and adverse to the new. With that imputation resting on them they abandoned office. He did not wish to recriminate; but he could not help, when the right hon. Baronet talked of letting loose a torrent, refrain from reminding the House, that those who now used this language in censure and condemnation, had themselves the power, which they declined to exercise, of permitting those waters to flow off in single and separate channels, one by one; instead of which they restrained and dammed them up, till, by becoming united they formed one vast and resistless current. Then, when they felt the mound on which they stood tottering beneath them, they secured their own escape, and left to another set of workmen to throw wide those flood-gates which they had neither the power to keep closed, nor the courage to open in due time. Was Reform the only source which they dammed up? Had it not been the practice of the right hon. and hon. Gentlemen who now occupied seats on the other side of the House, from the moment they first attained power, to unite together as a party to keep all close as long as they possibly could? In that they acted consistently, and upon that principle they acted until they could act no longer. Would any man tell him that a calm inquiry into the state of the Church property might not have been attended with the most beneficial results, had it been entered upon some ten, twelve, or fifteen years ago? He, for one, admitted that it might have been beneficial [" *hear, hear*," *from Sir Robert Peel*]. Did the right hon. Baronet also admit that truth?

Sir *Robert Peel* remembered the speech of the right hon. Gentleman on the occasion he alluded to.

Mr. *Stanley* proceeded. In the speech to which the right hon. Baronet had alluded, he (Mr. Stanley) stated that his objection to the motion then brought before the House arose from the *animus* in which it was proposed, but at the same time he was anxious for an inquiry into the defects which existed in the establishment, and that the appointment of a Committee or Commission (those were his words he well remembered) to inquire into and remedy the system should have his cordial support. On the subject of colonial slavery, he begged to point at the Resolutions of 1823 as a most convenient mode of putting off the evil for the then Government; but if more effectual steps had then been taken than the mere passing of a series of resolutions, the present Government would not have found itself in the awful situation in which it and the country now stood in regard to the great question of West-India slavery. In respect to the foreign policy of the country, the case was precisely the same, and the present Government on coming into office, was met by accumulated difficulties surrounding every question, and was obliged to take up all at once; and having done so, it was now charged with opening dangerous questions for the consideration of the country. He was prepared fully to admit to the right hon. Baronet opposite, his regret for the circumstances under which the Reform Bill had passed the other House of Parliament; but, however he might regret those circumstances, he could not but think there remained no alternative for his Majesty's Government. The right hon. Baronet had said, that a creation of Peers should have taken place before the second reading of the Bill in the other House of Parliament—a course of proceeding which might have been more acceptable to the opposers of the measure—but the Government had abstained from tendering any advice for a creation of Peers until it became clear no other course was open. Had such a course been followed as that hinted at by the right hon. Baronet, it would have then been said, that the Government had wantonly endangered the Peerage, and that they had taken that step for no purpose but to increase their power in the Upper House. What a theme would that have afforded for declamation. It would have been strongly urged, with some reason, because it had now become apparent, that a creation before the second reading was unnecessary to carry the Bill through that stage. On the principles on which the Government took office, (to which they were pledged) under which they subsequently abandoned and again resumed office, his (Mr. Stanley's) noble friend at the head of the Government had no hope left when it became evident that the Bill was in the hands of professed half supporters, as well as professed opposers, when these circumstances transpired, which left no doubt on the mind of any human being what was their intent—when it was clear that the object was by obtaining the acquiescence of the noble Earl to this or that proposition, to lose for him the confidence of his country—when it was found that there were those, who, by thus lowering his reputation, would fling him out of office, it was only then that the noble Earl and his Majesty's Government felt that they should betray their pledges to the country, and should neglect their duty to their Sovereign, if they abstained from offering, the advice they had done to the King, or tendering to his Majesty their resignation. Much as he might regret the necessity of this course, he could not hesitate to maintain that its adoption was imperative. It had been said, that the proceeding with schedule B before schedule A was not a matter of consequence, and the hon. and learned Gentleman opposite (Sir Edward Sugden) had read half a sentence of his (Mr. Stanley's), in which he had said, that it was immaterial whether disfranchisement or enfranchisement had precedence in coming before the consideration of the House. That half sentence, he (Mr. Stanley) did not mean to deny; and he wished the hon. and learned Gentleman had done him the favour to read the entire sentence, and it would be found that he had given as a reason, that one did not take from the other, and remarked, that if there was a subject on which the feeling of the country had been more strongly expressed than another, it was the disfranchisement of the rotten boroughs. He, however, must now remind the House that this speech was made when the first Bill of Reform was under consideration, and not on the Bill now before the House, which it would be remembered kept the number of the Representatives in Parliament unchanged, and which was not the case in a former Bill. This fact made all the difference, for the less the number enfranchised, the less number of the rotten boroughs would be required to be disfranchised; and therefore it was incumbent on the Government to proceed first with the disfranchisement clause. He could not avoid adverting to the allusion which had been made by the right hon. Baronet opposite (Sir R. Peel) to the speech of the hon. member for Middlesex (Mr. Hume), in which he had stated that he he should only take this Bill as an instalment. He (Mr. Stanley) had heard that speech with regret, and he must say, that so far as rested with the Government, the present was a final measure, and as such it was, that they had gone so far. For himself he would say, he accepted this Bill in payment of the whole demand, and he refused, and he thought the people of England would refuse, to seek for any further instalment on a measure the object of which was the well-being of the country. He must here acknowledge the satisfaction with which he had heard the declaration of the right hon. Baronet (the member for Tamworth), that he should offer no material opposition to the Boundaries Bill; for the House must see, that should that measure not be passed, great inconvenience would arise in case of a separation of the present Parliament, and the measure of Reform would be left in an unpleasant situation. He had now only to express his regret that there should have been even the appearance of constraint in passing the Bill through the Upper House, but much as he might regret it, he thought the measure essential to, and calculated to secure, the rights of the Throne, the authority of both Houses of Parliament, and the liberty of the people.

Sir *Robert Peel*, in explanation, denied that he required a creation of Peers before the second reading of the Bill. What he had said was, that the menace was worse than a creation. In answer to the allegation that the late Government had opposed every species of Reform in the Church, he begged to remind the right hon. Gentleman, that the late Government had issued a Commission to inquire into the state of the Church, with a view to the regulation of unions, and had effected the Tithe Composition Act. He might, on some future occasion, ask the right hon. Gentleman how far the present Government had acted on the recommendation of that Commission. Reform was too wide a question for him to enter upon in an explanation, but he must remark, that it was natural that the excitement of the people should be ascribed to the Government, for he well remembered that when the noble Lord opposite (Lord J. Russell) gave his support to the Administration of Mr. Canning, who was opposed determinedly to Reform, that the noble Lord's justification of his own conduct was this, that the people of England had become careless about Reform, and that on account of their indifference he should never come forward with any measure of Reform again.

Mr. *Croker* said, that the sentiments expressed by the right hon. Gentleman, the Secretary for Ireland, in the opening and in the termination of his speech, gave him great satisfaction, and he gladly accepted the declaration he had made of his own view, and, as he supposed, the view of the Government, upon the two great and important principles which had been advanced by high authority in this House, by persons who were the strongest supporters of his Majesty's Ministers on the Reform Bill. He thanked the right hon. Gentleman for his dissent from the statement of the noble Lord near him—a dissent which must have been re-echoed in the breast of every man who wished to see a Government of any kind in this country. He also thanked him for the denial he gave to the opinion of the hon. member for Middlesex, who considered that the Government they were about to establish by this Bill was only a temporary one. He thanked the right hon. Gentleman, also, for the declaration, that he looked upon this measure, so far as he himself and his Majesty's Ministers were concerned, to be final and conclusive. He rejoiced particularly at that last important pledge, for when they, or those who shall occupy these seats in a future Parliament, should be obliged to renew the contests between conservation and innovation, which some sanguine persons think we are now about to close for ever—he rejoiced to think, that when that time came, as come, in his opinion, it inevitably would—they should have the ability of the right hon. Gentleman, and the respectability and cordiality of the persons who now promoted the Reform Bill, to aid those to whom the duty might fall of opposing that torrent which, in his conscience, he believed would be only increased in force and fury by the concessions already made, and which, he feared, would in the end be found wholly irresistible. The right hon. Gentleman asked, whether the House of Lords alone was to be subject to no control from the other branches of the Legislature. Were the House of Lords, he asked, to stand exempt from the undoubted prerogative of the King, when he was pleased to exercise it? No; and no such absurdity had been asserted; but it was asserted that the House of Commons, or more truly the populace, ought not to force both the King and the Lords, the one to exercise his reluctant authority, and the other to submit to what would be, in such circumstances, an unconstitutional usurpation of power. The right hon. Gentleman had argued this part of the case on the assumption, that the Crown was desirous of exercising this prerogative at this time—an assumption contradicted by the facts: it was notorious, that in the present case the Monarch was unwilling to make Peers. If the King had been willing to make Peers, the objection would have been only the same as was raised in the reign of Queen Anne, but stronger by the extent to which the prerogative was about to be carried. But they should always recollect, that the King was in this case unwilling to exercise his prerogative; so that it was required, not only to swamp the House of Lords, but to force the King to do what he considered to be contrary to his Crown and dignity. The right hon. Gentleman chose, very ingeniously, to represent the argument of his hon. and learned friend (Sir Edward Sugden), upon the dangers of the Reform Bill—a tolerable sample of which had already been exhibited—as being an unreasonable and misplaced charge against Ministers of having excited the acts referred to. His hon. and learned friend might have made such a charge with great justice, but he had happened not to do so. When he spoke of the run upon the Bank for gold, and the withdrawal of the deposits in the Savings Banks, his line of argument did not go to charging Ministers themselves with those acts, but told them, that the state of society had been so disordered, by the unsettling of all the principles by which it had hitherto been held together, by destroying the great principles of prescription, and respect for what had been long established, which, as he had said once before, was, in the moral world, what gravity was in the physical world, keeping everything in its place—his hon. friend told them, that to this general disorganization was to be attributed those mischiefs which had already occurred, and those greater mischiefs with which society was menaced. But the charge which his hon. and learned friend had not made, he (Mr. Croker) would distinctly make—he charged Ministers, through their immediate friends, agents and supporters, with being, not merely the remote, but the proximate cause of these special attempts to disorganize society. But the right hon. Gentleman put it all upon a question of public credit, and seemed to argue, that the alarm which had affected public credit had been in no way encouraged by the party to which he belonged: but was this the case? Was it not, on the contrary, notorious and avowed, that the run was made on the Bank solely for the object of keeping the present Ministers in power? Would the right hon. Gentleman state, with that fairness and frankness which no one could deny to him, whether he did not see the walls of the city placarded with the sentence, "The way to prevent our having a new Administration is to go for gold?" It was not a question of public credit, as those well knew who put up these placards, but a question in which the interests of the public were put into jeopardy merely to serve the purposes of a party. When his hon. and learned friend alluded to the Savings Banks, he did not say that the Government encouraged the withdrawal of deposits; but he most justly and properly warned the people who were enjoying the benefit of that institution, not to prostitute it to political purposes, and that, if they suffered designing men so to prostitute it, the Government would be obliged to restrict its operation, and of course its advantages. The right hon. Gentleman, therefore, totally misunderstood, for of course it could only be from having misunderstood that he mis-stated the arguments of his hon. and learned friend : but again, he (Mr. Croker) would ask, was it not notorious that the partizans of the present Ministers—not their obscure emissaries, but their known and prominent supporters—had been foremost in suggesting, and most active in promoting, this run on the Savings Banks, and by thus endeavouring to turn those excellent institutions into an instrument of faction, had impaired their utility and endangered their existence? The right hon. Gentleman had assured them, that all alarm of an extension of the democratic principle among the people was vain and unfounded, and maintained that the people were not democratically, but monarchically inclined. He (Mr. Croker) certainly believed firmly, that democracy was on the surface, rather than that it had penetrated into the substance of public opinion. But then, on the other hand, he believed that the class of the people who had been the loudest advocates for the Bill, those who composed the Political Unions — those who had outraged the law, and menaced the Government, did unite the two objects—Reform and Democracy, and adopted the former only as a road to the latter. He asked hon. Members who doubted this, whether they had read the placards on the walls—whether they had read the resolutions which the different Political Unions had promulgated? No one who had observed and considered these circumstances could deny, that the wildest dreams of democracy were there mixed up with the wishes for Reform which the individuals to whom he alluded had expressed. The sacred persons of the Royal Family, the very existence of the Crown itself, had been implicated in the popular discussions on Reform. He begged not to be misunderstood. He was far from saying that there was no friend of Reform who did not desire the overthrow of the existing Constitution. It was impossible that he could say so, after hearing the speech which the right hon. Gentleman had just made; it was impossible that he could say so, when he saw on the other side of the House so many persons who owed their honours and estates to that Constitution. But what he did say was, that it was his matured and conscientious opinion, that the Reform Bill was, even in that House, advocated on principles which must terminate in the subversion of monarchy, and the establishment of a pure democracy on its ruins, and that the most active and powerful supporters of Reform out of doors carried not merely their ultimate designs, but their present avowed wishes, to the full extent of such a revolution. There was, indeed, no part of the conduct of his Majesty's present Government which he more deeply lamented than their conduct towards the Political Unions. Nor was that conduct free from the marks of duplicity, as well as of positive misconduct. They had, at first, contrary to their duty, encouraged these meetings, and when they were forced, by a superior authority, to affect to repress them, their proceedings were a contemptible juggle, by which, while they seemed to frown on these Unions, they gave them, in fact, additional power. The eruptions of the popular volcano were for the moment less violent, but that temporary suppression seemed only to increase the force of the earthquake which was heaving the soil under our feet, and loosening the foundation, and shaking the superstructure of the monarchical edifice. Even at the present moment the Political Unions, by the mere change of a word, were about to become legally organized. They had only to call themselves Electoral Unions, and to assume the functions of conductors of elections throughout the country—of pointing out to the voters of popular places the persons whom they thought best qualified to sit in the House of Commons, and in this new and legalized character they might last for ever. It would be a perpetual circle of political excitement. Was it too much to believe that these Unions, under this new and legalized garb, would succeed in obtaining a *bona fide* and permanent influence over the Government of the country? Let those who thought not, recollect what occurred in France at the outset of the Revolution; and recollect the electoral sections of Paris, which, having set themselves above all law, first controlled the government, and in a short time destroyed it. He would, on this subject, appeal to an authority which he supposed would be allowed to be entitled to respect by all who admired high public character, obtained in the establishment of national independence, but which authority pointed out the dangers which might beset constituted order even in a republic. General Washington, in the year 1796, when, as it were, taking leave of the American nation as a public man, addressed a letter to his countrymen, in which he warned them of the great danger to which even a republican state was liable from popular associations. Having observed that, when a government was once established, it was the duty of every individual to obey it, Washington thus proceeded:—'All obstructions to the execution of the 'laws, all combinations and associations, 'under whatever plausible character, with 'the real design to direct, control, counteract, or awe the regular deliberation 'and action of the constituted authorities, 'are destructive of this fundamental principle, and of fatal tendency. They serve 'to organize faction, to give it an artificial 'and extraordinary force—to put in the 'place of the delegated will of the nation 'the will of a party, often a small, but 'artful and enterprising minority of the 'community; and, according to the alternate triumphs of different parties, to 'make the public administration the mirror of the ill-concerted and incongruous 'projects of faction, rather than the organ 'of consistent and wholesome plans, digested by common councils, and modified 'by mutual interests. However combinations or associations of the above description may, now and then, answer 'popular ends, they are likely, in the 'course of time and things, to become 'potent engines, by which cunning, ambitious, and unprincipled men, will be 'enabled to subvert the power of the 'people, and to usurp for themselves the 'reins of government; destroying afterwards the very engines which have lifted 'them to unjust dominion.' The whole letter was indeed a lesson of practical wisdom; and he wished his Majesty's Ministers, if not too late, would apply themselves to the study of it. Yes, he heartily wished he could see those who ought to be the defenders of the monarchy, acting upon principles so conservative as those of this great founder of a republic: but alas, it was not so. Up to the present period, England had been the anchor of the social security of Europe. Equally exposed to the deluge of democracy during the existence of republicanism in France, and to the deluge of despotism when Bonaparte obtained supreme authority in that country, all the hopes of social order had been preserved in England as in an ark, until both those dangers had subsided. But it seemed the design of his Majesty's present Government to convert that ark into a fireship. No longer the asylum of social order, this country would become an engine to inflame the combustible elements of France, and Belgium, and Spain. The continental nations were all looking to the progress and result of this Bill with intense anxiety [*cheers*]. He was glad to hear the confirmation of his assertion which that cheer afforded. The *movement*, or, to speak more justly, the republican party, all over Europe looked to the passing of this measure as the greatest step in the progress of revolution, since the mighty stride of revolutionary France, and hailed it, like the hon. member for Middlesex, as the precursor of an indefinite series of future changes. We ought to look at the effects of this Bill, not only upon ourselves, but others; hitherto England had been the sheet-anchor of rational liberty and constitutional monarchy—now it was about to assume a different character: heretofore we had protected those principles both at home and abroad—now we were abandoning them everywhere. If we had formerly acted upon other nations in repressing the spread of the elements of democracy, at the same time that we defended the genuine principles of freedom, so surely, by a similar impulse, but in a different direction, would this Bill produce a re-action here and elsewhere, by giving undue encouragement to the democratic spirit. And to say nothing of the direct and immediate changes to be produced by the measure at home, could we, if democracy prevailed elsewhere, be sure of retaining our monarchy, our aristocracy, and all the other institutions under which this nation had so long prospered, and of which she had so long been proud?

He was glad to understand, from what had fallen from his Majesty's Ministers, that it was their intention to proceed with, and pass within this Session, the Boundary Bill. Looking at that Bill to be a supplement to the Reform Bill, and seeing in it a perfect imitation of all the error, partiality, injustice, and danger of its parent Bill, it could not be supposed that he could look upon it but with equal abhorrence; but, in the perilous position in which the country had been placed by the

Reform Bill, the Boundary Bill became an inevitable evil. Indeed, he considered the Reform Bill and the Boundary Bill as inseparable; for, if the people of England were assembled for a general election after the Reform Bill, and before the Boundary Bill were passed, and therefore before it was determined who had the right of voting, the most disastrous consequences might be the result. No excesses were more terrible than those which were committed under the seeming sanction of law; and if it were permitted to assemble large masses of people, claiming to exercise the right of voting, without previous registration, or a proper definition of boundaries, the most lamentable results might be expected to ensue. He therefore took this occasion to state, that although he should feel it his duty to record his objections to the way in which that Bill was to operate, it was not his intention to protract his remarks upon it, or to carry his opposition so far as to interpose any serious obstacle to the passing of the measure.

He could not conclude without solemnly declaring, that nothing which had occurred during these protracted discussions had altered the opinion which he entertained of the Bill, at the first moment of its introduction. He believed that the hon. member for Middlesex was perfectly correct in his prognostics. He believed that principles had been set afloat which it would be impossible to check. He believed that the noble Lord, and the right hon. Gentleman opposite, were sincere in their desire to terminate their enterprise—to put, as it were, a seal upon the bond; but he also believed that the words of the bond were so extensive that their seal would only bind them the faster to its prospective operation: and that, as the hon. member for Middlesex had said, the Reform Bill was but the commencement of a career of change. What had occurred since the original introduction of the Bill confirmed him in that apprehension. The first edition of the Bill had been received with approbation, even by the most violent Reformers. They had since had two successive editions of it; and each edition had a further and a further tendency to a democratic character [" *no!*"]. That negation, tempting as was the opportunity it afforded, should not provoke him to enter at this moment further into the subject than to say, that such was not merely his opinion, but it was a fact notorious to every man who had attended to the debates, or who would take the trouble of comparing the first Bill with the enormous engine of democracy which had grown out of it. Indeed, the arguments of the friends of the Bill had confessed the fact—"See" said they, tauntingly, "see what your opposition has done: the second Bill is worse than the first, and the third than the second, and if you do not pass this which we now offer you, you shall have a fourth, still more violent." Seeing, therefore, that every alteration was in a democratic spirit, and seeing the prevalence of that spirit throughout Europe, he could not but apprehend the ultimate subversion of the Constitution. He felt convinced that, in the natural course of events, we should be carried to democracy first; next, to despotism; and then, after a sad, but he hoped not bloody interval, we should be restored to a state something like that in which we were placed before the commencement of this dangerous experiment.

Colonel *Torrens* said, he should rise with great diffidence, were it necessary to follow the right hon. Gentleman through the creations of his fancy and the flashes of his wit. Fortunately, however, the right hon. Gentleman had wandered from those fields of fancy on which he could raise such brilliant bowers, and had embarked upon the sea of argument, on which, to borrow his own beautiful lines, he did not

> " Breast the waters at his ease
> Like sea-bird on its native wave."

The right hon. Gentleman would pardon him for the suggestion, that he would best consult his reputation, when he remembered that a jest was his argument, and his argument a jest. The right hon. Gentleman deprecated the influence exerted over the other House by the apprehension of a creation of Peers, but seemed totally to forget that an analogous influence was frequently exercised over that House by the apprehension of a dissolution of Parliament. The power of the Crown over both Houses was in this respect identical, and it was altogether illogical to contend that the one was unconstitutional any more than the other. The right hon. Member contended that danger had been created by a departure from prescription. He (Colonel Torrens) maintained that the popular excitement had arisen in consequence of prescription having been enforced too long. The rising spirit of the people, originating in the increase of knowledge, was compressed, until it acquired an expansive force which threatened destructive explosion. The danger was created by continuing the pressure of prescription, and not by removing it. There was no danger, as the right hon. Gentleman apprehended, from the democratic principle. The people had obtained increased power because they had acquired increased knowledge. But it was to be remembered that knowledge was a conservative principle, which, while it gave the people increased power, rendered that power safe in their hands. An educated people would demand good laws, and would obey the laws to which they gave their sanction, because they would perceive, with a force and clearness of evidence in proportion to the degree of their intelligence, that on obedience to the law their well-being depended. He (Colonel Torrens) rejoiced in the passing of this Bill, not because he thought it would be a final measure, but because he believed it would lead to such further improvement in our laws and institutions as would render the people of England more happy than their fathers, and not less prosperous than their brethren in the United States of North America.

Mr. *Praed* did not perceive, that there was much in the speech of the hon. and gallant Member to call for reply; and he was not disposed to apply to it mere comment or criticism in such harsh terms as those he had himself addressed to his right hon. friend the member for Aldeburgh. But the hon. member for Ashburton was unfortunate in his application of words. When he said, that with the member for Aldeburgh his jest was argument, and his argument a jest, he had most unguardedly called the attention of the House to the peculiar and singular force and facility with which that right hon. Gentleman frequently compelled attention, by pointed sarcasm, to important truth. The hon. and gallant Member was led into an unintended compliment by his appetite for a brilliant antithesis. His command of rhetoric was fatal to him.

> ———"TORRENS dicendi copia multis
> Et sua mortifera est facundia."

He regretted that the Bill had passed; but though the House could no longer prevent the crime, it was in their power to punish the criminal. He believed that when history should sum up the crimes of English Statesmen she would have no page so black as that in which the passing of this Bill was commemorated. The noble Earl at the head of his Majesty's Government had come into office with a declaration that the measure of Reform which in the heat and rashness of his youth he had been prepared to advocate he would advocate no longer, and yet he had introduced a measure which could not be carried into effect without disturbing the higher classes of the nation. He would ask, could the Bill pass without increasing the disaffection of the people to the old institutions of the country? The right hon. Secretary for Ireland had declared it a doubtful point where resistance to despotic measures should begin, but he would tell the right hon. Gentleman that measures perfectly justifiable in themselves might be most pernicious and unjust from the danger attending their introduction. When the noble Earl at the head of the Treasury had supported the second reading of the Bill he had endeavoured to drag the House of Lords into an acquiescence in the measure, by saying, that every objection to the Bill could be remedied by allowing it to go into the Committee, although to certain alterations which he specified, such as the alteration of the 10*l.* clause, he added, that he should give his decided opposition. And yet it was now contended that the noble Lord never had promised to agree to any amendment which could alter the principles of the Bill. This was true. But he would ask what was the impression intended to be made upon the Peers, but that of inducing them to vote for the second reading, under the idea of their effecting amendments in the Committee? The House, having been thus induced to go into a Committee, commenced by only making an alteration of precedence, and the conduct of the noble Earl he had no occasion to describe. The noble Earl had been guilty of acts of perfidy. He made the charge hypothetically, and, not to relieve the noble Lord, but to relieve himself, he would fully acquit the noble Lord of the guilt of his perfidious conduct. The noble Earl had not falsified his pledge by his own act of violation. He had been dragged by a power greater than his own, and which he would have put down, except that it proved too great for the arm of the Minister to control. When he saw the noble Lord with his high station and his exalted talents, give way to such a power he did indeed tremble for the consequences, and for the struggles which were to come. Gentlemen opposite had justified what they had done, upon the idea of the importance of the occasion; but he must observe, that any occasion would seem sufficiently important to those whose political existence depended upon the occasion. They thought that by their Reform they had been confirming the institutions of the country; but if there should be others in their places whose aim was different, whose object was to overthrow and destroy, if they found a crown or a coronet in their way, the policy which Ministers had taught they would execute.

Mr. *Hume* said, they had met to consider of the Lords' amendments in the Reform Bill, and the discussion had lasted a long time, but without throwing much light on the subject, for the debate had turned upon any thing rather than the ostensible object of it. He professed, that he was not able to understand the speeches of the hon. Members below him. The hon. Member (Mr. Praed) had talked of a crime, and he had denounced a criminal; he would be glad to know what was the crime, and who was the criminal? He could not imagine—he did not understand what the hon. Gentleman meant, though he could compliment him on the solemn tone which he had assumed. Neither could he comprehend what the right honourable Gentleman (Mr. Croker) meant by democratic waves and the deluge of despotism. He differed, too, with the hon. Member (Mr. Praed) that the account of this period would form a black page in our history; he thought, on the contrary, that the description of the events of the late ten glorious days, and the glorious moral triumph of the people of England, would form the brightest page in our history. He looked with exultation at the glorious struggle, by which the Tory and rotten-borough faction had been put down for ever. The right hon. Gentleman talked of the monarchy tottering to its fall. Who caused it to totter? The right hon. Gentleman and his friends; when they almost dared, but, fortunately for themselves and the country, feared to take into their hands the helm of Government. The right hon. Gentleman and his party had done all they could to oppose the Bill, but the nation had risen, and, with a moral courage, crumbled them to the dust. The hon. Member had referred to the French Revolution, but he might have found in "The Recollections of Mirabeau," complete proofs, drawn from that Revolution of the folly of continually resisting the voice of the people. It had been asked why Ministers did not put down the Political Unions? First prove their illegality, and then the prudence of attempting to put them down, otherwise than by abolishing the abuses which gave rise to them. But it had been said, "the Unions were certainly illegal; had not a proclamation been issued against them?" He was yet to learn that a proclamation could make that illegal which the law of the land did not denounce. The King's proclamation *per se* was worth the ink and paper used in printing it, and no more. Was a proclamation to be allowed to over-ride the law? He would not give a pin for the Bill if we were to stop there. The object of the Bill was, to get rid of the principle of nomination, and to constitute an honest House of Commons—he meant politically honest. The people of England hailed the Bill with grateful acclaim, because it would identify the interest of their Representatives with their own; and they were willing to forego much that they might otherwise be anxious to obtain, in order that they might give it a fair trial. He was actuated by the same feelings. On the original introduction of the Bill, he (Mr. Hume) had expressed his opinion that a *5l.* qualification would best meet the wishes of the people. He thought, too, that *5l.* suffrages might be safely admitted. Finding, however, that Ministers were strongly disposed to adhere to their proposition fixing the minimum of qualification at 10*l.*, he yielded his own opinion, and supported theirs. Now, that the Bill had been agreed to by both Houses of Parliament, all that he desired was, that it should have a fair trial. But, if it did not answer the purposes for which it was intended, if it should fail to remove completely the load by which the country was now oppressed, and of which it so justly complained, he, for one, should be prepared to amend it, and to extend the suffrage much further.

Mr. *Praed* said, the hon. member for Middlesex had called upon him to explain to what crime and to what criminal he had alluded. He was sorry he had not made his meaning clear. Everybody, he was aware, could not attain the perspicuity of language which distinguished the hon. Member. The crime was the extinction of the independence of the House of Peers, and the criminal was the man who had advised it. The hon. Member had in some measure misunderstood what he had said of perfidy and baseness; and he was anxious to remove the misunderstanding, because his language had been designedly harsh. He had said, that if when a noble Lord avowed himself ready, in the event of a collision between his order and a large portion of the people, to stand or fall with his order, he was contemplating, in the event of such a collision, the annihilation of his order by his own act —if, when he stated that he had abandoned the rash speculations of his youth, he was meditating a measure wilder than his youth's wildest theory—if, when he enumerated to the House of Lords certain questions as proper for their discussion in Committee, he was proposing to deny them the power of discussing these questions in Committee, then he (Mr. Praed) knew nothing more base and perfidious than the making of those professions by the holder of those intentions. If the hon. member for Middlesex thought otherwise, little as he liked his politics, he liked his morality still less.

Mr. *Croker* wished to say a word in explanation of some remarks which had been made on him personally by the hon. member for Middlesex. The hon. Member had alluded to him as one of those who, after having provoked the crisis, had not dared to avail themselves of it, and had refused to undertake the responsibility of office upon a late occasion. In all that the hon. Member had chosen to suggest as to his (Mr. Croker's) views or motives he was entirely and absolutely mistaken. He had not considered himself of sufficient consequence to think it necessary to offer any explanations of any share he might have had in that matter; but being challenged, as it were, by the hon. Member, he would tell him, that it was well known to all those who were acquainted with his sentiments and conduct since he went out of office, that there was not the slightest pretext or colour for such an imputation as that which the hon. Member had made.

Mr. *Charles Grant* deprecated the tone of personal attack which had characterised so considerable a portion of the debate of that night. Hitherto, amid the many conflicting opinions expressed upon the measure, attacks of a personal nature had been avoided. A tone of good feeling, of high-mindedness, had pervaded the debates of that House, worthy of the subject they were discussing. But now, at the eleventh hour, in the last stage of the measure, in its progress towards completion, it was thought proper, because argument failed, to resort to the mean expedient of personal invective. The hon. and learned Gentleman who sat opposite, had denounced a member of the Government as a criminal. Who was that criminal? He asked the House—he wished he could ask the people—who was that criminal? [*cheers*]. The House, by its cheer, replied to this question—replied in the same tone that the people would do if they could hear him. Earl Grey was the criminal, and the carrying of the Reform Bill was his crime. Already had that noble Earl run a career of splendor almost unparaleled—already had the honesty, the integrity, the consistency, of that noble Earl gained him a name by which he would rank among the greatest men of the country. If anything were wanted to increase his fame, to ingraft his memory more deeply in the hearts of the people, to render his name more beloved, or to add to the confidence which all reposed in him, it was the consummation of that very crime of which the hon. and learned Gentleman had accused him. Earl Grey assumed the management of affairs at a time almost of unprecedented danger and difficulty. Revolution, the rebound of public opinion, the exertions of a people determined to be free, had swept from the throne of France its hereditary monarch. Occurrences strange in the history of this country were spreading alarm and terror through many of its wealthiest districts. The call for Reform, which awhile had slumbered, was renewed —was echoed from mouth to mouth—became an imperative demand. The Minister of the day resisted the call, and expressed his determination not to yield to the demand. But a measure of justice demanded by an unanimous people could not be so lightly refused, and the Duke of Wellington relinquished a power which he found he could not hold. It was then that Earl Grey, pledged to Reform, and determined to carry it, accepted the seals of office. He had been true to his pledge. But his truth was not admired by the hon. Gentlemen opposite. Had the noble Earl been false to his pledge, nothing would that night have been said of his crime. To have forgotten his pledge would have been no crime—the having fulfilled it was an unpardonable one. But by the statement of the hon. and learned Gentleman, it seemed that the noble Earl, independently of the crime of truth and consistency, had been guilty of perfidy. Guilty of what perfidy? In what did his deep perfidious guilt consist? It was in this, that in the House of Lords he had had the astonishing hardihood and effrontery to declare that, believing the Reform Bill to be necessary to the welfare of the country, and the security of the Throne, he was prepared to stand or fall by it, and to exercise every constitutional power which he could render available to carry it into execution. That was the accusation against him; and further, that having found he was unable to carry it, he had relinquished office, which might have charms for others, but had none for him, if it was only to be preserved at the expense of not performing the promises he had made. Then they were told that the opposition in the House of Lords did not affect anything but the details of the Bill. Details, indeed; if they were only details, that could be of no consequence, why was there so much importance attached to getting rid of them? He would tell the House what the other side would have rejoiced to see. They would have rejoiced to see those details one by one conceded, till disfranchisement ceasing to be a leading principle of the Bill, had become only a sequel and corollary to it; and when it had become so, it might have been admitted only as an act of special grace and favour. They would have rejoiced to have engaged the noble Earl in a series of amendments, apparently, as it might seem, upon mere details, but bearing, in fact, upon the vital principles of the measure—they would like thus to have involved him in difficulties which might have placed him in an invidious light in the eyes of the country—they would like to have artfully seduced him into some concessions which should shake his consistency, and diminish his popularity with the people. Day by day they would have had the noble Earl and his Government concede the true principles of the Bill, though disguised under the name of details, until the Bill would have been no longer an advantage to the people, but an advantage gained over them. They would have had these small imperceptible concessions hourly repeated, till the Government would have found themselves in a totally new sphere, insulted by those who had dragged them through those calamities, and justly condemned by that people, whose confidence they would have betrayed. They would have been condemned, too, by their own consciences, for having sacrificed to the mere mockery of conciliation, the substantial interests of this great and mighty empire. He thanked God that from that perfidy he had been preserved. As for the crime of which the noble Earl and his colleagues had been accused, he (Mr. Grant) was glad to have some small share of participation in it. It was a crime that would become immortal—a crime whose perpetrators would be blessed.

Colonel *Sibthorp* observed, that the hon. Members on the opposite side of the House spoke as if they alone had acted from conscientious motives, an assumption which he begged leave to deny; for those who opposed the Bill had, he was sure, been actuated only by the most conscientious feelings. He doubted even whether hon. Gentlemen on the other side of the House were not a little disappointed at the Bill having passed as it had done through the House of Peers; and whether the right hon. Gentleman did not regret that he was not now Earl of Inverness, instead of member for the county; and whether the hon. member for Middlesex was not disappointed at not being Marquess of Marylebone; and even the right hon. Gentleman, the Secretary-at-War, would not have had quite so long a face if he had now been flourishing in the other House. This Bill was not a final measure. The hon. member for Middlesex declared that he was not satisfied with it, but wished Reform to go further; and there was little doubt that the hon. and learned member for Kerry would be glad to see the House of Lords lowered and trampled on. He was sure that if they gave them, according to the old saying, rope enough, they would hang themselves—not that he wished to see the noble Lord opposite (Lord Althorp) suspended, except from his office. He had opposed this Bill throughout, because he thought it was not for the good of the people; and if the hon. member for Middlesex brought in another Bill to remedy this, he should be willing to sit by the hon. Member's side, and teach him, not how to destroy, but how to restore the Constitution.

Sir *Robert Inglis* should not have spoken, but for the observations which had recently fallen from the right hon. Gentleman opposite, who, in one part of his speech had used the expression "Dragged us through those calamities." When he heard such expressions used, much as he esteemed his right hon. friend, and much as he had esteemed him for years, he must get up and observe upon them. To whom were these expressions applied? Did his right hon. friend mean that the Government of the Duke of Wellington, or that of Mr. Canning, or that of Lord Liverpool, had dragged them through these calamities? for, if he meant any or all of these Governments, his right hon. friend was the last man who should denounce their acts, since for those acts he was responsible, as he had formed part of all those Governments. With respect to the Bill itself, it was only regarded as the beginning of more serious changes. It was regarded as a means, and not an end, and such was the opinion which in private had been avowed to him by an hon. and learned friend of his. He hoped that that opinion would be expressed, as he knew it was felt, in that House, and then they would see what he stated was perfectly correct. He was sorry to be obliged to believe that this Bill had put an end to the Constitution. When the Bill had passed the House of Commons, it was spoken of as a Bill that must pass the House of Lords, who were to be allowed no deliberative voice upon it; and now that it had passed the House of Lords, he observed in a paper of the day the remark, that "only a form" remained to make it law—in other words, that the assent of the Sovereign, which he had always looked upon as of equal great importance to that of either of the two branches of the Legislature, was a mere form. He must again express his anticipations of evil from the measure, though he knew that there was no use in resisting it.

Mr. *Charles Grant* thought that the House would agree with him, that the hon. Baronet had most unjustly given to the words he had uttered a meaning that, it was clear, they were never intended to bear, and had fastened on that a charge for which there was no pretence. The hon. Baronet had said, that he (Mr. Charles Grant) had cast imputations upon former Governments, and had spoken of them as dragging them through calamities. At first he had hardly recollected having used the words, for, if they had escaped him, it was in the heat of debate; but, as far as he could bring back the circumstances to his mind, he had used them after speaking of the situation in which the present Government would have been left, had they allowed themselves to yield up every principle of the Reform Bill, under the name of conceding unimportant details. In that sense alone he had used them. He appealed to the House, and even to the hon. Baronet himself, whether, that being the case, he had not been subjected to a most unjust aspersion? He had not made any charges whatever against former Governments. On the subject of Reform he knew—and never had hesitated to avow it—that he had changed his opinion; he had changed it because of the changed circumstances of the times, and of the advance of knowledge of every kind among the people; but he had never for a moment, throughout these debates, uttered the remotest aspersions on those who now held those opinions which he had formerly entertained. His change of opinion was not recent. He had stated it at the time of the East Retford question, full two years ago, and had then said, that unless the motion then made was carried, greater concessions must be granted. But for entertaining and avowing that opinion he might have returned to office prior to the formation of the present Government, if he would have done it with any degree of surrender of that principle.

Sir *Robert Inglis* should not have made the charge, had he not believed that his right hon. friend had used and applied the expression as he stated, and no one would be more rejoiced than himself to find that his right hon. friend had not subjected himself to the charge.

Mr. *Fane* said, that this Bill removed their neighbours' landmarks, and they ought to remember, that "cursed is he who removes his neighbour's landmarks." If Old Sarum was to be taken away, why was Tavistock retained?—it must go—it was an insult to the nation, and a biting sarcasm on the disinterestedness of the Ministers. This Bill was said to come from the House of Lords, What was the House of Lords. What was it? It was nothing but a body of living Old Sarums. It mattered not what the House of Lords had been—what was it now? It was defunct. The life of a legislative body was its independence. They had destroyed that: its life was extinct—it was a defunct corpse—it was a stinking carcase—it was in a state of putrefaction—a nuisance in the nostrils of the people. They were told that the Monarch was for Reform, and that Monarchy and Reform could exist together. So they might, as abstract rights; but could they in any other way? There were those who would bring that question before the House, but he was not the man. This Bill was neither a concession to the demands of the people, nor was it in the spirit of the times. Had they taken ten of the smallest boroughs, and thrown their franchise into ten larger towns, they would not only fully have met, but would have exceeded the demands of the people. They had done more; and as much as they had exceeded the demands of the people, they had fallen short of the spirit of the age. That spirit was against all privileged classes; it was against Kings and Nobles—against Priests and Prelates—against prerogatives and prescription—against monopoly of power; aye, and against monopoly of riches. The spirit came upon us from East and West. From the West, from America, where it was deeply rooted, and had become indigenous in the soil; and from the East, from France, where, after a fierce struggle of forty years, it was again triumphant. The nobility and gentry of England had manfully fought the battle, but they were overpowered; and he would not anticipate the consequences. It was his opinion, that the Members of that House, in passing the present Bill, were betraying their King, betraying their country, and betraying the people who sent them as Representatives to watch over their interest.

Lord *John Russell*, as so much had been said in the course of the Debate on the conduct pursued by various members of the Government, as well as the Government itself, and as insinuations had been thrown out against himself—felt bound to offer one or two observations before the discussion was brought to a termination. In the first place he would remark, that one of the principal accusations brought against the noble Earl at the head of the Government was, that after having promised, if the Bill was read a second time, to allow all fair, and just, and reasonable examination of its provisions in Committee, the noble Earl had, on the very first opportunity, taken means to violate his pledge, and to compel the House of Lords to adopt the Bill without any alteration or amendment whatever. Now he could assure the House, that no man desired more earnestly, from the very outset, that the Bill should have every fair and deliberate examination, than his noble friend did. No man was more anxious to preserve the freedom of debate, and to allow a thorough discussion of the principles of the measure of Reform, but with that reservation which was necessary at once to the preservation of his political character and his personal honour—to the welfare of the people, to the progress of the Bill itself, and to the maintenance of those principles which he had openly pledged himself to his country should remain inviolate. Under such circumstances, and after that vote in the House of Lords which went at once to overturn the declaration in the preamble of the Bill, he contended that his noble friend had no course left him save that which he had adopted. He came now to that other accusation against the Government, of having aided and abetted in the extension of commercial distress and the destruction of public confidence. Without entering into that subject, or attempting to defend them against such accusations, he would ask the hon. Gentlemen opposite, if they had ever considered the consequences of the other alternative? Had they ever looked to what might have been the effect on public credit and public confidence, if one clause of the Bill after another had been erased or mutilated—if, as an hon. Gentleman near him had properly expressed it, one victory after another had been carried against the people? If the people had seen the Bill reduced to that state, and perhaps at last utterly destroyed, there would then have been the same commercial disorders, the same political agitation, the same violent declamation at the Unions, the same incendiary speeches; and, beyond all that, in proportion as the hope of seeing the Bill carried became diminished, the confidence of the people in its supporters would have been destroyed, so that at last they might have arrived at such a melancholy state of things, that there would have been no centre of authority left to preserve subordination and ensure the observance of the laws and the tranquillity of the country, while they might rest assured, that as the people were determined to pass the Bill, they would have sought the means of doing so in a course still more violent and more destructive. The right hon. member for Aldeburgh (Mr. Croker) had adverted to the Proclamation for the suppression of Political Unions, put forth some time ago by the Government, and observed that the intentions of the Government, had been completely thwarted by those against whom that proclamation was directed. He denied that the Proclamation alluded to had been issued against persons who were guilty of no illegal act, but against those who formed themselves into a kind of police force for the preservation of the peace, under the direction of their own leader. Against this the Proclamation was directed, because it was illegal; but when men met under the name of a Union, however inconvenient it might prove to the Government that they should do so, he knew no law to prevent them, whether they were assembled as Unionists or Conservatives (and they might as well call themselves a Club as a Union); whether the Government could approve of their doctrines or not, so long as they refrained from uttering language which was seditious, he knew not that there was any law to prevent them so assembling, nor could he agree that it was right in the Government to assume a power which the law did not recognize for their suppression. At the same time, he had no hesitation in declaring, that Political Unions, if kept up for any length of time in any country, would lead the people to the continuance of an agitation not more injurious to the constituted authorities than to the people themselves, and which would finally, by interfering with all their ordinary pursuits, be productive of the greatest mischiefs. But what did he infer from this? Relying on the sound sense and right judgment of the people of England, he was convinced that, when they had an opportunity of choosing their own Representatives, who would zealously perform their duty, they would not persist in attending those assemblages, to the injury of themselves, the Government, and the Constitution itself. In conclusion, he felt it necessary to say, that as far as the present Government were concerned, this measure they considered a final one. This, indeed, as they had declared at first, would be one of the results of the carrying the whole Bill; for, if they had succeeded in carrying but a part of it, they must have again and again agitated the question till the necessary Reform was accomplished. Having so carried it, he saw a better, and indeed a most satisfactory security against further change, because both those who supported and those who opposed it were alike determined to go no further, but to use their best efforts to preserve the renovated Constitution, entire and unimpaired.

Mr. *O'Connell* amid cries of "Question," said, he supported the Amendments because the Bill had come down from the Lords with a greater extension of franchise, and a broader basis of principle than when it was sent up there.

Lord *Sandon*, without renewing the protest he had already made against many parts of the Bill, begged to ask, as he considered it most important, whether it was the intention of the Government to give charters to these new boroughs created by the Bill?

Lord *John Russell* said, the subject had been under consideration for some time, but he apprehended, that in every case they would not be able to get their Charters before they would be called on to exercise the privilege now conferred on them.

The Amendments agreed to.

PARLIAMENTARY REFORM — BILL FOR SCOTLAND — COMMITEE — THIRD DAY.[On the thirteenth clause being read,

Sir *George Clerk* objected to the method of registering the voters, as altogether inadequate to the object, and recommended that they should either adopt the English system of appointing Barristers to each district, or else refer the matter to the Commissioners of Supply. He thought, too, that it was not fair, that the price of the registration of the Scotch voters should be greater than that of the English.

The *Lord Advocate* thought that the arrangement of Barristers registering the votes would not be found advisable in Scotland; and with respect to the fee of

6*s*., he thought that it was much fairer that that should fall on the persons benefited than on the public.

Sir *George Warrender* thought, that to leave this matter in the hands of the Sheriff would be overburthening that office with work.

Lord *Althorp* consented to the postponement of the Clause, in order that the question might be more thoroughly considered.

Further consideration of the Clause postponed, as was also the fourteenth Clause. The Clauses to twenty-two inclusive were agreed to.

House resumed—Committee to sit again.

HOUSE OF LORDS,

Wednesday, June 6, 1832.

MINUTES.] Bills. Brought up from the Commons:—The Reform of Parliament (England). Read a second time:—Militia Ballot Suspension. Received the Royal Assent:—the Insolvent Debtors' Act Continuation

Petitions presented. By the Duke of BUCKINGHAM, from the Lord-lieutenant, the High Sheriff, the Grand Jury, and Magistrates of the Queen's County, for Inquiry into the Administration of the Law in Ireland.—By the Earl of FINGALL, from Bective, for as extensive a measure of Reform for Ireland as had been granted to England; and from thirteen Places in Ireland, for the Abolition of Tithes and Church Rates.—By the LORD CHANCELLOR, from St. John's, Wapping, for Reform.

HOUSE OF COMMONS,

Wednesday, June 6, 1832.

MINUTES.] New Writs issued. On the Motion of Mr. SPRING RICE, for Hampshire, in the room of Sir JAMES MACDONALD, become Chief Commissioner of the Ionian Islands.

Bill. Read a third time:—King's County Assizes.

Petitions presented. By Mr. SHAW, from Kilmeen, against the Government Plan of Education (Ireland); and from the Corporation of Weavers, Dublin, that the Privileges of Freemen may be continued to them.—By the LORD ADVOCATE, from Ulloa, for Stopping the Supplies.—By Mr. O'CONNELL, from Carrick-on-Suir; and by Mr. RUTHVEN, from Merchants, Bankers, and others of Dublin,—for a more extensive Reform than that of the Irish Bill. By Mr. DIXON, from Zetland; and by Sir GEORGE CLERK, from George Mercer, Esq.,—against the Reform of Parliament (Scotland) Bill.

PARLIAMENTARY REFORM (IRELAND)—PETITIONS.] Mr. *O'Connell* presented a Petition from the Irish National Political Union, relative to the Irish Reform Bill. The petitioners complained of the great injustice done them, by the inequality of the proposed Representation as compared with England, an inequality that would tend to the separation of the two countries. They only wished to be placed on the same footing as the constituency of England. They had exhibited certain details, in order to show that they ought to be placed on a better footing than that on which the Bill would place them; and showed that, taking the population as a basis, they were most unjustly treated. The population of England was sixteen millions, and that of Ireland (exclusive of certain omissions in the census, one of which was the omission of 30,000 in Dublin alone) was upwards of seven millions and a half. If population alone were considered, Ireland would be unjustly treated. But it had been said, that Ireland was very deficient in point of revenue. It was said that while the revenue of England was 48,000,000*l*. that of Ireland was only 4,000,000*l*. That was erroneous, for it appeared by the parliamentary documents, that the duty on tea consumed in Ireland, which alone was 500,000*l*. a-year, as well as the duties on many other articles consumed in that country, were charged in England, and credited to the English revenue instead of the Irish. All commodities from the East paid their duty in England, although a great portion was consumed in Ireland. Those duties, added to the published revenue of Ireland, would amount to one-seventh of the English revenue, and, therefore, according to that proportion, the petitioners contended that Ireland ought to have 147 Members. He had, however, never asked for more than 125. The petitioners also prayed for the restoration of the 40*s*. freeholders in fee, and for an extension of the constituency, by reducing the 10*l*. qualification to 5*l*., and for allowing fourteen years' leaseholders to be on the same footing as a freeholder for life. According to the proposed qualification for borough Representation, many boroughs would be merely nomination boroughs, for there was hardly one that could boast of more than 200 voters, and many not 120; so that a person with a few thousand pounds could command the majority of votes in any of the boroughs. It would also lead to perjury, corruption, and drunkenness, which was much worse than the present system, by which one agent could meet another agent, and pay over to the other a certain sum of money for a seat. The petition deserved the most serious attention of the House, and he was confident the grievances complained of, by which Ireland was placed on such an inferior footing, as compared with England, would tend to separate the two countries, which he hoped never to see accomplished, and to which he certainly never would consent.

Mr. *Crampton* did not rise for the purpose of entering into any premature discussion on the Irish Reform Bill, but he trusted, when the Bill came on for further consideration, he should be able to show most clearly, that the statements of the hon. member for Kerry were very inaccurate, and founded on most erroneous conclusions. If the constituency in open towns was a subject now for reprehension from the hon. Member, on account of the riot and drunkenness it occasioned, what, he would ask, would it be when it was ransferred from property to population?

Mr. *Leader* could assure the House, and should be prepared to prove it at the proper time, that many of the towns which now enjoyed a constituency, would, by the proposed Bill, be converted into close boroughs.

Mr. *Shaw* agreed with the hon. member for Kerry, that the Irish Reform Bill would in the end, cause a separation of the two countries. The hon. Member had drawn a distinction between a separation of the two countries and a Repeal of the Union, by carefully reserving himself upon the latter.

Mr. *Sheil* would ask the Solicitor General for Ireland (Mr. Crampton), whether he meant to say that there would be no such reductions in the constituency of the Irish towns as had been described by the hon. member for Kerry? Would he say, that the votes in the borough of Cashel, for instance, would not be reduced to 187? He would ask, with such facts before them what would be done? Would the constituency be increased by reducing the rate of qualification, or by enlarging the boundaries? He would greatly prefer the former of these two modes. In the English Bill a change had been made in the Lords which made it more popular, and their Lordships had continued the 40*s.* freeholders. They in Ireland did not ask that; they merely asked that the same feeling which had been shown to England might be shown to Ireland. In order that the Reform Bill might be successful it must be satisfactory. If they were desirous that Ireland should be united to England, they must be put on the same footing.

Mr. *O'Connell*, in moving that the petition be printed, said, the people of Ireland were treated with contempt. He had stated several facts which the Solicitor General did not venture to deny. He (Mr. O'Connell) was accused of being an advocate for rotten boroughs. That was not the case; he merely claimed for Ireland that the boroughs should not be in a worse state than they were before. As far as regarded the Repeal of the Union, to which some had alluded, he merely asked that Government, by giving a sufficient Reform, should take from him the power of promoting that repeal. Another thing of which he had to complain was, the difficulty felt in Ireland in registering the votes, the whole system of registration there being most atrocious.

Mr. *Crampton* said, he would not be drawn into a discussion which would involve the whole principle of the Irish Reform Bill, by the hon. and learned Member; but when the proper time came, he would not flinch from the discussion.

Mr. *Henry Grattan* concurred in the observations that had fallen from the hon. member for Kerry, relative to the difficulties in the registration of votes, and he felt certain that the people of Ireland would look for a Repeal of the Union, unless they had a fair Reform Bill.

Mr. *Beaumont* thought that Ireland ought to be treated with equal justice to England, and he should be most happy to give his assistance to the hon. member for Kerry, in any measure that he conceived would tend to the good of that country.

Colonel *Perceval* was astonished to hear of the difficulty in the registration of votes. He had never heard of any such difficulty though he had been concerned a good deal with elections.

Mr. *James E. Gordon* said, the Bill would neither please Protestants nor Catholics, though for different reasons.

Mr. *Blackney* knew that many freeholds had not been registered, owing to the charge which was made of 2*s.* 6*d.* for the registry of each freeholder.

Petition to be printed.

COURT OF CHANCERY.] Mr. *John Campbell* said, he wished to put a question to his Majesty's Ministers, on a subject which, though of great public importance, was not likely to lead to any discussion. He alluded to the meditated reforms in the Court of Chancery. They had been taught to expect, that at an early day a bill would be introduced, either in that or in the other House of Parliament, for the purpose of effecting certain reforms in the Court of Chancery. The session was now rapidly wearing away, and he would ask, what hope was there that such a measure would be brought forward before its close. There was another subject, he meant the settlement of the salary of the Lord Chancellor—on which also he should like to receive some information. A bill had been passed last Session, which deprived the Lord Chancellor of a considerable portion of his salary, and he was anxious to learn what steps, if any, had been taken to make up for this deficiency.

Lord *Althorp* said, that with respect to the first point, a learned Gentleman had undertaken to draw up a bill for the purpose of effecting the reforms alluded to; and with reference to the second, he would himself introduce a measure to the House.

Sir *Charles Wetherell* hoped that, in making any alterations in the Court of Chancery, grave consideration would be given to the subject, which its immense importance demanded.

Mr. *Spence* said, he could positively state, that there were bills, connected with reform in the Court of Chancery, at present under the consideration of the Lord Chancellor; and a promise had been made, through himself, by the authority of the Lord Chancellor, that a bill should speedily be introduced, to reform one branch of the Court of Chancery, which more particularly required Reform—he meant the Master's Office. That bill was prepared to be laid before Parliament at the time originally proposed, before the recess; but the Lord Chancellor, on consideration, thought it better that one general measure should be introduced, embracing the Six Clerks' Office, the Registrar's Office, the Subpœna Office, and indeed all the offices connected with Chancery. A bill for that purpose had been prepared; but he was not authorized to say precisely when it would be laid before Parliament. He was, however, quite certain that it would be brought forward as soon as the subject had received that grave consideration which his hon. and learned friend opposite thought that it deserved. There was also another bill at present under the consideration of the Lord Chancellor, the object of which was to shorten pleadings in the Court of Chancery. From such a measure he anticipated the best effects. That bill would be laid on the Table soon after the Whitsun recess, and the other would be brought in in the course of the present Session.

COURT OF CHANCERY (IRELAND), BILL.] Mr. Shaw moved the Second Reading of this Bill.

Mr. *Crampton* opposed the Bill, which, in his opinion, was not only quite unnecessary, but would, in the end, be found mischievous. It was unnecessary, because the Lord Chancellor would, with as little delay as possible, promulgate such orders for the regulation of fees, and, above all, for saving the time of the suitors, as would be beneficial to all parties. He should, therefore, move, as an amendment, "That the Bill be read a second time this day six months."

Mr. *Shaw* said, the measure was one which the circumstances of the case imperiously required. He must state that the Master of the Rolls approved of the Bill, and had informed him, that the repeal of one of the orders alone would have been a saving of 6,000*l.* per annum to the suitors of his Court. What he complained of was, that 15,000*l.* per annum were paid to the officers of the Court for compensation for the loss of fees which they still received, and would continue to receive, unless the orders were revised. He only wanted some pledge that this should be the case.

Mr. *Crampton* said, that he had no doubt that the object of the hon. member for the city of Dublin would be attained without his persisting in his present Motion, as he was sure that a revision of the orders in question would take place before the first day of next Session.

Mr. *Shaw*, on that understanding, would consent to postpone the Bill for the present.

Bill withdrawn.

PRIVILEGES OF PARLIAMENT BILL.] Mr. Baring moved the Order of the Day for the House to go into Committee on this Bill.

Mr. *O'Connell* rose for the purpose of moving, as an amendment, that the Bill should be committed that day six months. His first objection to this Bill was, that it was brought in at an improper period. Instead of having been brought forward at a time when, in consequence of the existence of nomination and saleable boroughs, access to that House was rendered easy to those who were desirous of taking such means to defraud their creditors, it was introduced just as the Reform Bill was passed, and when the people of England would at length have the power of electing as their Representatives the men of their choice; and the effect of this Bill, if it should be carried into a law, would be, that they could have no Representatives except men of wealth and fortune. It was, in point of fact, introducing a new qualification. He was further of opinion, that a subject of this kind should be reserved for the consideration of a Reformed Parliament; and it was well known, that the qualification, as it existed at present, was in many instances a mere humbug. His next objection to this measure was, that the protection enjoyed by a Member of Parliament was not for the benefit of the individual, but for the benefit of his constituents. This Bill proceeded on a contrary principle, and therefore upon a mistaken one. When the Legislature declared, that the Members should have certain privileges, it was not for their own benefit they were conferred, but for the advantage of their constituents. Let them make what qualification they thought proper; but having taken that precaution with regard to a candidate, let them remember, that the candidate once chosen, the privilege belonged not to him, but to his constituents. It was so much the custom to attribute personal motives to men in these times, that he thought it right to say, that there were few men whom it would affect less than him: he believed that he derived a larger revenue from landed property than any of the last four Members for his county. His next objection to this Bill regarded generally the right of arresting the persons of debtors. That was a right which he for one thought should not exist, and which, at all events, should not be extended to any cases, except such as were the result of a judicial sentence. There was an evil, too, to be apprehended from such a measure as this, to which gentlemen of landed property should not be indifferent. There might be many Members in both Houses who might happen to have mortgages on their estates, for the payment of which, or of many more, their properties were amply and more than sufficient; and yet, if this Bill passed, some great rich capitalist or fundholder—some man who had amassed riches, honestly, as it might be, in some cases, but dishonestly, as it was in many, by trafficking in the funds, and jobbing in the stock-market, where a good lie would fetch him thousands, and an insurrection might make his fortune—some rich capitalist of that description, by buying up the securities on their estates, might deprive such Members, especially if their political opinions happened to differ from his own, of their legislatorial functions. He believed that the Bill would give rise to a system of purchasing up judgments, mortgages, and encumbrances on the estates of Members of the Legislature, which, though perfectly solvent, they might not be able to satisfy on a short notice, and thus a very unfitting control over their votes would be obtained. He objected to give wealth more power than it had already. In his opinion it had already too much; it did not lead to happiness, and he thought the accumulation of masses of wealth into a few hands was the great evil of this country. These were his (Mr. O'Connell's) objections to this measure, and it was on these grounds that he moved the present Amendment.

Mr. *Baring*, after apologising to the House for pressing this Bill forward on the present occasion, said, that the learned Gentleman, the member for Kerry (Mr. O'Connell), seemed to consider the measure as being in some degree connected with the Reform Bill. Now, this was not the case; for it would be in the recollection of many Members of the House, that he had mentioned the subject nearly two years ago, certainly before the Reform Bill was even thought of, and that his proposition had been favourably received. Undoubtedly, however, there were circumstances which rendered the change he proposed more necessary under the old system than it would be under the law about to be established, as, under the old law, fraudulent debtors might more easily, by the dint of money, force their way into that House. The privileges of Parliament were extended much more in former times than at present; but the possession of any privileges by Members of Parliament, other than those possessed by the King's subjects at large, was a gross injustice, unless it could be shown, that the possession of such privileges were necessary, in order to enable them to do their duty to their constituents. What he now proposed was, a mere following up of the spirit of the Constitution. If the hon. and learned

Member thought any qualification necessary—and he (Mr. Baring) apprehended the learned Gentleman would scarcely deny it—then surely he could not complain of a change which went to render the qualification real and not nominal, and to prevent men from entering that House, in order to defeat the just claims of their creditors. He did not like to enter into particulars, because it might be offensive to the feelings of connexions of men who had been Members of that House, but he could mention many who had evaded the payment of their debts by obtaining a seat in that House with the money of their creditors. He had already alluded to the case of Burton. There was also that of a man named Mills, who had actually defrauded his creditors of 23,000*l.*, through the means of these privileges, which seemed to be thought necessary for the support of the honour and dignity of that House. The learned Gentleman said, that the Bill was arraying the rich against the poor. It was the very reverse; it was a Bill intended to protect the poor against the rich; to prevent the honest tradesman from being defrauded of his just demands, by those who were dishonest enough to plead the privileges of Parliament. The learned Gentleman had alluded to the power which the Bill would give certain rich capitalists, or men supposed to have a great deal of ready money. He (Mr. Baring) did not know whether the learned Member meant to throw out any insinuation against him; but if he did, he could tell him, that he had no claim against the property of any Member of that House. Having thus, as he conceived, replied to all the objections of the learned Gentleman, he would merely observe, that persons well acquainted with the subject had informed him, that a man could not be arrested, at least, very speedily, for a debt contracted in the shape of mortgage. He was quite willing, however, should the fact prove otherwise, to introduce a clause with respect to the securities on landed property, for the purpose of protecting debtors under such circumstances. When he first proposed to bring in the Bill it had been his intention,after a certain period, to allow a Member to be arrested; but persons of legal knowledge and experience having taken objections to the connection of arrest with the Members of that House, he now proposed that a Member should have thirty days' notice of the claim on him; and if, in thirty more, it was not satisfied, then his seat would be declared vacant, and the creditor would be left to enforce his claim against him like any other individual. With respect to the Law affecting Bankruptcy, passed in the 52d of George 3rd, he believed it had been found extremely absurd and inconvenient. At the present moment, the seat was not filled up for a year and ten days, if the bankrupt refused to resign it; so that, for the whole of that time, the place was without a Representative. He proposed, in the present Bill, to amend that law, and to declare the seat vacant at the expiration of sixty days from the issue of the fiat of bankruptcy. Having stated thus much, he was quite ready to give any other explanation that might be considered necessary, if the House consented to go into Committee on the Bill.

Mr. *John Campbell* assured the hon. member for Thetford, that the member for Kerry was quite right, in his opinion, with respect to the power of arresting for mortgage debts; and he thought it would be necessary, therefore, to introduce a clause to the effect he had mentioned. The other parts of the Bill had his most cordial support, as enforcing the principle of Reform by adding to the respectability of the House, and enabling them to gain back the confidence of the people.

Mr. *Bernal* hoped the member for Thetford would introduce the clause with respect to landed property at once. He had intended to oppose the motion for the Speaker's leaving the Chair; but, as the hon. member for Thetford intimated his disposition to introduce the clause respecting mortgages in the Committee, instead of delaying it until the bringing up of the Report, he would refrain from doing so.

Mr. *Lambert*, however unpopular it might be, and however well it might sound that every Member of that House ought to pay his debts, must oppose the Motion for going into a Committee on this Bill. In his opinion, if the measure were adopted, it would derogate from the dignity and independence of the House. Any Member of that House, who, having for necessary and indispensable purposes, mortgaged his estate, and entered into a bond, giving a warrant to confess judgment, might, if this Bill were passed, be arrested by any party having the command of money, at a critical moment, for political purposes, or even, for similar purposes by the agents of a foreign power. Such an abandonment of their privileges would prove a check to the freedom of debate, and to independence of sentiment. A respectable merchant, if a Member of Parliament, might, under such circumstances, have a run made upon him which would not be made were he not a Member of Parliament. A Member of Parliament would thus be placed in a worse situation than anybody else.

Mr. *Stephenson* approved of the principle of the Bill; but wished that the hon. member for Thetford would delay proceeding with it, in order that he might avail himself of the suggestions which had been thrown out in the course of the present discussion.

Mr. *Cutlar Fergusson* thought, that the great evil which the Bill had been introduced to remedy had arisen from the total abuse of the law respecting the qualification of Members. The principle of that law was, that no man should sit in that House, to levy contributions on his countrymen, who had not himself the means of contributing. It was undoubtedly intended by that law to insure, that persons sitting in that House should not only be solvent, but should be possessed of some property. With respect to the present measure, he was favourable to the principle of it; but it was evident that the details required more consideration than could that evening be given to them.

Mr. *C. W. Wynn* had hardly ever known a measure introduced into that House respecting which he felt so much doubt and difficulty. That no Member of that House should be subject to arrest was one of the most ancient privileges which the House possessed, and ought not to be hastily abandoned. With respect to the law of qualification, to which the hon. member for Kirkcudbright had just alluded, it was well known that that law required the Representative of a borough to have landed property of the value of 300*l.* a-year, and the Representative of a county to have landed property of the value of 600*l.* a-year; but the actual practice was also well known. Did Mr. Pitt, or Mr. Fox, or Mr. Sheridan possess such a qualification? And would it have been desirable that, on that account, such men should be excluded from that House? Would it have been desirable that men, to whom, forty years ago, the country looked up as their political teachers, should have been thus deprived of their parliamentary character? Reflecting on these things, he must really pause before he could determine to give his assent to the proposed measure. It was not hard upon any person who gave credit to a man, already a Member of Parliament, that he should be prevented from arresting that man, as he knew beforehand of the privilege by which a Member of Parliament was protected; but it undoubtedly was hard that a Member of Parliament should be free from arrest for debts contracted before he became a Member, and when the creditor, therefore, could have no warning. If the House went into a Committee on the Bill, he hoped it would only be *pro forma*, in order that it might be re-committed on some future day; for, although there was much in the measure very desirable, there was also much which required deliberate consideration.

Lord *Althorp* was undoubtedly of opinion, that it was most desirable that insolvent persons should not be elected to sit, and should not sit in that House. But the hon. member for Thetford must feel, that there were many difficulties in the way of adopting the measure under consideration in its present shape. It was evident that the effect of the Bill, as it now stood, would be, to place a man who was a Member of Parliament in a worse situation than a man who was not a Member of Parliament. For the Bill, as it stood, might be applied to a person being a Member of Parliament, who was nevertheless perfectly solvent; and, notice being given to him, under the provisions of the Bill, he might be expelled from that House, if he had not the means of immediately satisfying the demand upon him. With respect to what had fallen from the hon. member for Kirkcudbright respecting the law of qualification, in his (Lord Althorp's) opinion, that law stood on a very good footing at present. If a Member was not the actual and *bona fide* possessor of a qualification, he must at least have sufficient character to be intrusted with one. It appeared to him that there were so many difficulties in the way of adopting the measure in its present shape, that he hoped the hon. member for Thetford would be prevailed upon to reconsider it. In discussing the question, they ought not merely to look to the preservation or the abandonment of the privileges of Members as a matter of a personal nature; they ought to consider how far the interests of their constituents might be damaged by a diminution of those privileges.

Mr. *Godson* said, that the principle of the Bill was good, but the proposed mode of carrying that principle into effect decidedly bad. He hoped, therefore, that the hon. Gentleman would see the propriety of postponing his Motion, and in the mean time, perhaps, to move for the appointment of a Select Committee to inquire into the subject, and to report upon the best mode of carrying the object desired into effect.

Mr. *Baring* would be very glad to leave the whole question in the hands of the noble Lord (the Chancellor of the Exchequer), if he, in conjunction with the law officers of the Crown, would undertake to carry it into effect. Upon the present occasion, however, he should decidedly wish to go into the Committee *pro forma*, for the purpose of filling up the blanks. He should then move for its re-committal on that day week, when he should bring up the clause which he had mentioned in the early part of the Debate, and when any hon. Gentleman might move any amendment that he thought would contribute to the safety and efficiency of the measure.

Mr. *Wrangham* was opposed to the principle of the Bill, because it would destroy the independence, and consequently, the political utility of Members.

The *Solicitor General* must also, he said, join with other Gentlemen in calling upon the House to pause before they agreed to such a measure.

The House divided on the Amendment:—Ayes 29; Noes 72—Majority 43.

List of the AYES.

Blackney, W.
Carter, J.
Chapman, M. L.
Chichester, —
Coote, Sir C.
Evans, —
Gillon, W. D.
Godson, R.
Grattan, J.
Haliburton, Hn. D. G.
Hodges, T. L.
Hume, J.
Jeffrey, Rt. Hn. F.
Johnstone, A.
Knox, Hon. J.
Lefevre, Shaw
Loch, J.
Mackenzie, S.
Macnamara, W. N.
Morrison, J.
Phillips, C. M.
Ryder, Hon. G.
Schonswar, G.
Strickland, G.
Wallace, T.
Wellesley, W. T. L.
Williams, Sir J.
Wood, Alderman
Wrangham, D. C.

TELLERS.
Lambert, H.
O'Connell, D.

The House in Committee—Title of the Bill read *pro forma*, and House resumed—Committee to sit again.

PARLIAMENTARY REFORM — BILL FOR SCOTLAND—COMMITTEE—FOURTH DAY.] On the Motion of the Lord Advocate, the House went into Committee on the Reform of Parliament (Scotland) Bill.

The several clauses from the 23rd to the 36th were agreed to with verbal amendments.

On the 37th clause being proposed,

Mr. *Andrew Johnstone* rose to bring forward the important Motion to which he had given notice, respecting the exemption of clergymen of Scotland from the duties of electors. Nobody, he was sure, would accuse him of hostility to the Scotch Church, with which he had been connected for ten years as an office-bearer, and for which he was known to profess a warm attachment. The objection to giving the clergy the franchise did not arise from the nature of the right of their property, from whence the franchise might arise, but from the nature of the office with which the clergy was invested; and he founded his proposition on the principle that the exercise of the elective franchise was incompatible with the proper discharge of the pastoral office. This proposition was not exclusive in regard to different churches; for it was the duty of the Legislature to support the Christian Church in the enjoyment and exercise of its privileges, and more especially when the Legislature was engaged in the momentous work of renovating the political constitution of Scotland. As to the duties of Christian pastors, he would not refer to any Church articles, or the ordinances of man; but notice briefly one or two authorities, taken from that record to which all owed submission, as shewing decidedly the exclusive nature of the work committed to the "ministers of Christ, and stewards of the mysteries of God." In exhorting one of the first Christian teachers, as to the ordination of ministers, the great apostle of the Gentiles said, "Moreover, he must have a good report of them which are without, lest he fall into reproach." But was it not most likely that when exposed to the strife of political contest, the minister of Christ would run the risk of falling into such "reproach?" The same apostle, also, when again addressing that distinguished Christian minister, said, "Meditate upon these things, give thyself wholly to them;" and, on another occasion, he asked most emphatically, "Who is sufficient for these things?" If any clergyman in Scotland, having a cure of souls, would lay his hand on his heart, and declare that he was "sufficient" for his great work, he (Mr. A. Johnson) would be the first to propose the conferring the elective franchise on that clergyman. The question was peculiarly applicable to Scotland, when the genius of her people, and the spirit of her institutions were kept in view. The learned Lord Advocate, when he gave to the House an admirable sketch of the political history of Scotland, on the second reading of the Reform Bill last Session, in a speech which reflected honour on the learned Lord and on his native country, observed, that they there saw 'a people 'whose religious education has been at'tended to by the Government, while 'they submitted to other oppressions quite 'as grievous, fly to arms only when their 'religion was attacked.'* And on the same interesting occasion it was remarked, in a most able and statesmanlike speech, by one whose recent loss was now deplored, 'Scotland was undoubtedly a country 'which had many excellent institutions. 'The doctrines of her church were pure; 'her clergy were respectable and learned; 'her gentry were well educated; and, 'above all, her people were as moral, as 'industrious, and as intelligent, as any in 'the world.'† It was to preserve her institutions which had called forth these just praises, and to preserve that peculiar character which belonged to the Church and people of Scotland, that he brought forward this motion. In conferring on her a renewed political constitution, the House would observe how little the Church of Scotland owed to the Legislature since the Union. Shortly after that period, the British Parliament, at the instigation of a Tory Ministry, who were displeased at the part which Presbyterian Scotland had taken at the memorable revolution of 1688, deprived the people of the right of acquiring their Church patronages on certain conditions; and this had given rise chiefly to the Dissenters—now a most numerous and highly respectable class in society. Ought not the present liberal and enlightened Parliament to beware of legislating in such a manner as to subvert the interests both of the Established Church and of Dissenters? When the class of persons primarily affected by his motion was considered, it would be found that the clergy were "but men, subject to like passions with ourselves." Till within the present century, there had scarcely been a clerical voter in Scotland, and at present there were only thirty-three on the county rolls of freeholders in that country. At present, therefore, it was evident that, from the nature of the county constituency, there was little or no room for any political interference on the part of these clerical voters; but under the present Bill it might be, that the clergy, from being officially connected with property, would accidentally, almost all, be entitled to claim the elective franchise; circumstances were completely altered; strong temptations might be held out to them to engage in political strife, and to seek to influence their parishioners, with whom it was well known they were in habits of daily intercourse, and over whom they exercised an unbounded moral control. In their new position how might it be supposed, fairly, that they would act? Lord Clarendon, who was known to be so great a friend to churchmen as to have restored the prelates of England to their seats in the other branch of the Legislature, had remarked, in alluding to the clergy, "there is no class of men who take so erroneous a view of human affairs as churchmen;" and one whose brilliant eloquence used at the close of the last century to delight that House, in his Treatise on the French Revolution, said, 'Politics and 'the pulpit are terms that have little agree'ment. No sound ought to be heard in 'the Church but the healing voice of 'Christian charity. The cause of civil 'liberty and civil government gains as 'little as that of religion, by this confusion 'of duties. Those who quit their proper 'character to assume what does not be'long to them, are for the greater part 'ignorant both of the character they have, 'and the character they assume. Wholly 'unacquainted with the world in which 'they are so fond of meddling, and inex'perienced in all its affairs on which they 'pronounce with so much confidence, they 'know nothing of politics but the passions

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* Hansard (third series) vol. iv. p. 533.

† Ibid. p. 563, 564.

'they excite.' But it was said, you may confer the privilege, and leave it to the discretion of the clergy to exercise it or not, as they shall think fit. His reply to this was, that "privileges infer duties." The elective franchise was a civil privilege of great importance, and imposed a serious duty on those to whom it was extended. Would it not, then, be a mockery of this valuable privilege to bestow it on a class of society in regard to whom it was to be "elegantly understood" by the Legislature that it would not be exercised? Did the experience of the past warrant hon. Members to conclude that the clergy would not use the political franchise? He would only refer to two particular periods, being most anxious to condense his remarks, so as not to fatigue the Committee. In 1597, as stated by Wight on the Election Law, the Committee of the General Assembly of the Church of Scotland was prevailed on by James 6th to complain that the Church was the only body destitute of representatives in the Scottish Parliament, and in consequence an Act was passed, conferring seats on those whom the King might create bishop, abbot, or other prelate; and, in 1598, the General Assembly was prevailed with, said the same author, to declare it "lawful for ministers to accept a seat in Parliament; that it would be for the benefit of the Church to have its representative in that body; and that fifty-one members should be chosen for that purpose." The other reference he should make was, to a petition presented to the last Parliament, after the introduction of the measure of Reform, bearing to be from the Presbytery of Dumblane, praying the House to provide that each of the ministers of the Church of Scotland, as by law established, be entitled to vote for a Representative in Parliament. Here, then, was a claim for the franchise springing from the official station of the claimants; and the two instances cited, proved that churchmen, both in ancient and modern times, had been and were desirous of political power in Scotland. But how was this petition presented and received? The right hon. Baronet, the member for Perthshire, in presenting the petition, remarked,—'He was himself not favourable 'to giving the elective franchise to the 'clergymen of the Church of Scotland; 'because doing so would bring them into 'collision with the people at elections, 'and thus lower their character, which at 'present stood very high, owing to the 'fact that, in no instance, was any opportunity afforded of bringing them into 'unpleasant collision with their parishioners. He could not, therefore, support 'the prayer of the petition.'* The hon. Baronet, the member for Linlithgowshire, then said, "I cordially agree with my right hon. friend: to take the clergy of Scotland from the exclusive performance of their clerical duties would be a great injury to them and their flocks." The petitioners likewise complained, that the Established Church was unrepresented; but how stood the fact? There were about fifteen office-bearers of that Church at that period, holding, and who now held, seats in Parliament, all under the obligation of assisting their pastors in the cure of souls; and he had not the least doubt but that, on every proper occasion, these Elders, as they were termed, would be ready to maintain and defend the interests of their Church. The instances he had adduced, went to prove that, both in ancient and modern times, there had been and were those in the Church who were desirous of political power; and it was, therefore, the duty of the Legislature to protect the people from the danger of the clergy becoming so far secularized as to descend to the arena of political strife; and also to protect the clergy themselves from the risk of the loss of their high character and respectability, from the importunities of patrons, from the solicitations of electors, or from any unhallowed conflicts (which God forbid should ever take place) in regard to sectarian differences. Hitherto the Church and the Dissenters had differed chiefly as to Church government, and not on points of Christian doctrine; and having vied with each other in the faithful and conscientious discharge of their sacred duties, they had been mutually benefited. In the Established Church of Scotland, two-thirds of the patronage belonged to laymen, and the remaining third to the Crown; and here would lie strong temptations for the clergy to interfere in politics, from the natural desire of obtaining preferment, or family advantage, or from the strong feeling of gratitude for favours received. In counties the tenantry and feuars would be peculiarly open to solicitations; and in towns and burghs the parishioners would be exposed to the importunities of such clergymen who might be prevailed on to exercise the franchise. There could, indeed, be no estimate made of the unhappy consequences which might follow any such interference. It was equally the duty of the Legislature to protect the clergy from importunity and solicitation on the one hand; and, on the other, to protect the people against the overwhelming influence of the Crown and lay patrons. It had been said, if you do not authorise a direct interference on the part of the clergy, in regard to the elective franchise, they will interfere indirectly—but this argument went too far—it was impossible to avoid indirect evasion or interference in all circumstances. But there was a marked difference between the exercise of a civil right, conferred by the Legislature, with the sanction of public opinion, and an interference which that Legislature might have declared to be improper. In the one case there would be little risk of any open offence to the religious and moral feelings of the community: on the other hand, the indirect interference of the clergyman would be visited by the obloquy of the community, and the censure of the Church. Several hon. Members went so far as to admit, that the clergy should not vote in right of their manse and glebe; but this view of the question was based on a principle quite different from that on which he had founded his proposition of exemption, on account of the sacred nature of the office held by the clergyman. Nor would this mark any disapprobation on the part of the Legislature as to the interference of the clergy; for, if the right to vote was held not to be sufficient from the anomalous nature of the property, how easy would it be for a clergyman desirous of having the franchise, to procure a 10*l.* or leasehold right, either in town or country? Then he had been told, why give the Church a slap in the face without due cause? He would say, can the Church for one moment, find fault with the Legislature viewing her clergy as set apart, in an elevated position, and conveying its sense of esteem and admiration of that Church, in the mild language in which he had proposed their exemption from the franchise? In regard to the connexion which had at any time taken place between the Church and worldly politics, various Acts of Parliament were on the Statute-books, to which he would not then direct the attention of the Committee. As to the Dissenters, their clergymen were generally chosen by the congregation; and stipend and residence were provided for them. But it was said, we cannot touch the Dissenters. Were they not, however, the subjects of a Protestant Government; and, as such entitled to countenance and support in the relative connexion of pastor and people? By the famous Toleration Act of Queen Anne, the Dissenters were fully recognized; and this Act had been adduced to rule a case in the Supreme Civil Court of Scotland, within the present century. It was then stated from the bench, "that the right of Protestant Dissenters, as much as that of the National Church itself, is statutory; they are not connived at and endured, but recognized and protected in their rights, though not stipendiary." Thus, the Legislature was bound to interfere in behalf of their clergy and their people. He entreated the noble Chancellor of the Exchequer, and the English Members around him, to view this question apart from English analogy, prejudice, or partiality. The two countries were very differently situated. In England, the clergy had exercised the franchise time out of mind; Church possessions were freehold; non-residence was permitted; and the powers of the civil Magistrate were, in many instances, bound up with the priestly office: whereas in Scotland, the clergy could scarcely be said to have exercised the franchise at all: Church possessions were not freehold; non-residence was not allowed; and it was only in extreme cases, and in remote highland districts, that a clerical Magistrate would be found: the question was, therefore, peculiar to Scotland; and the attention of that country would be fixed with deep anxiety, on the proceedings of the Scottish Members, on that night. It had been well considered by the people of Scotland since last October, when he had the honour to enter the notice of a similar motion on the Journals of the House. The opinions of the heads of the Scottish Church, or, as might be more properly said, those who took a lead in her affairs, were known to most hon. Members. They were averse to the privilege of the elective franchise. He had received many letters, from eminent Divines, to the same effect. But a few days since, a most respectable and talented minister in Edinburgh, in reply to a question from him on the subject, said—"I have no hesitation as to the injurious tendency of the privilege; but, if it should be conferred, I will take care it never shall be exercised by me." As to the laity—so far as he had learned—they were quite unanimous as to the propriety of exemption. He would merely allude to the resolution of a Committee of the Convention of Royal Burghs, on a late occasion, in reference to the Reform Bill. This Convention now represented what was formerly the third estate in the Scottish Parliament—they declared they were unanimously of opinion, that the elective franchise should not be conferred on the clergy of any denomination of Christians in Scotland. In concluding his remarks on this great constitutional question—remarks so unworthy of the subject—he would solemnly call on the hon. Members on his own side of the House, to avoid converting the boon they were about to confer on their country into what might, too probably, prove a curse; and to the hon. Members on the other side, especially those who considered that the measure of Reform was ruinous in its extent, and revolutionary in its tendency, he would say, do you assist at this precious moment, while yet the opportunity is yours, to apply to that measure a sound moral corrective and control; and he would entreat the support of all; so that, while they had the happiness of conferring a renovated, healthy, political Constitution on Scotland, they might not incur the hazard of destroying her best—her sacred institutions. He begged leave to move the insertion of the following words:—"And that no person being a clergyman of the Established Church of Scotland, or of any other Church of any denomination of Christians in that country, exercising the pastoral charges, except any such clergyman as may be in the possession of such right previously to the passing of this Act, shall be entitled to vote at any such election in Scotland."

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* Hansard (third series) vol. iii. p. 1348-9.

Mr. *Halliburton* seconded the motion of his hon. friend, and would detain the Committee a few moments, while he stated the reasons which induced him to give it his most earnest support. He was aware that he could not urge any additional arguments to those which had been so ably addressed to the House by his hon. friend; but the question was one of such acknowledged importance, that he was impelled to do more than give a silent vote upon it. His opinion was, that if the clause which had been proposed were introduced, and became the law of the land, it would be the means of conferring a great additional benefit upon the people of Scotland; and if it were rejected, a series of evils would ensue, the magnitude and extent of which neither himself nor any other hon. Member could form an adequate estimate. He was happy, however, in believing, from the various conversations which he had had with hon. Members on this subject, that there was a great preponderance of opinion in favour of some such clause as was now proposed; and the difference of opinion was rather as to the extent to which it ought to go, than to its spirit and intention. His hon. friend had made it a matter of principle, and not as having reference to any right of franchise which the clergy might acquire by possessing a life-interest in any property connected with the Church. He had put it upon the principle which the Committee had just recognized by the adoption of the thirty-sixth clause. The principle there recognized was, that the elective franchise should not be extended to Sheriffs or Sheriffs' Clerks; and if the argument was good, as applied to them, *à fortiori*, it was good as applied to the clergy; inasmuch as to preserve the source of the religion and morality of the country pure and unpolluted, was of still greater importance to the Legislature than to preserve undefiled the seats of law and justice. He had observed, that when his hon. friend adverted to the argument, that to refuse the right of voting to the clergy would not prevent their indirect interference in elections, an hon. Member gave an hostile cheer; by which he presumed that hon. Member entertained that objection. But such an argument was fallacious. In the first place, every thing was done by this enactment to discountenance the interference of the clergy at elections, by disclaiming the principle of their right to interfere; whereas, if the Legislature were expressly to give the right of voting to clergymen, it would become, not only a privilege, but an obligation; and there must exist on the part of that body, a strong feeling of principle to prevent them from exercising a right given by the Legislature; for, by giving that right, they were necessarily called upon to exercise all the influence which their station conferred, in order to promote whatever object they might feel it their duty to advocate, by reason of the power so given them. Indeed, to suppose that the clergy while having a right expressly bestowed upon them by Act of Parliament, should refrain from using it, or from exercising all the influence they might possess over their parishioners and congregations, to prevail on them to support the same men and measures as themselves, was most preposterous. The Scotch clergy were a well educated, and, taken as a body, a highly moral class of men; neither had they any great ulterior objects at which to aim, but still they had a feeling for patronage, like other men; and when it was considered that the individuals who filled the Scottish Church were chiefly drawn from the middle ranks of life, and that to obtain a living in the Church was to them a thing of the greatest possible value, every one must be convinced that they would necessarily be desirous of evincing their gratitude to those who had put them in that situation, and thus, from the very best of motives, they might be induced to pursue a line of conduct in secular affairs most injurious to society, by its robbing them of that sacred character by which their morals and principles were now preserved; and by its divesting them of those pure feelings, essential to the efficient discharge of their religious functions. His hon. friend had put this question upon its just and true ground. It had been the boast of the supporters of this Bill, that it was, with few exceptions, founded wholly on the principle of enfranchisement, that was its great characteristic. One of those exceptions was contained in the clause just passed, and it would only be an extension of that clause, in a case in which the interests of all parties required it should be extended, if the House was to adopt the motion of his hon. friend. The enacting that the clergy shall not have a right to vote in virtue of their Church property, was to effect that by a side-wind which it would be much better to do in a direct manner. If, then, it should be the opinion of the Committee, that a great and serious evil would be inflicted on Scotland by changing the habits and feelings of the clergy of that country, and that inducing those individuals to mix themselves up with electioneering contests, who had hitherto kept aloof from all political and secular strifes and contentions, would lead to no good, but might be attended with much real mischief, he hoped that he and his hon. friend would be sanctioned by a majority of votes in the adoption of the present Motion. So far from its being inconsistent with the principle of the Bill, or contrary to the feelings of the people of Scotland, his opinion was, that by such an amendment the value of this measure would be greatly enhanced, and the best interests of his native country promoted and preserved. It would keep the character of the clergy, as it had hitherto been kept, free from all political taint or secular feelings—leaving them to pursue their holy calling undisturbed by worldly discordances, and uninfluenced and unassailed by temporal cares. He would join his hon. friend in entreating the English Members of that House not to judge of this question by their peculiar modes of thinking with regard to the clergy of England, who might have other and very different grounds for retaining a right they had long enjoyed, than the clergy of Scotland could have to obtain a right which they had hitherto never possessed. But he much doubted whether even the clergy of England, beneficially either to themselves, to religion, or to the country, were allowed to exercise the elective franchise. He had read in *The Times* of yesterday a transaction which reflected great disgrace on a clergyman of the Church of England, in reference to the Berkshire election now taking place, and it appeared to him that this reverend gentleman was supporting the Tory candidate; but that was of no consequence: whichever side he espoused, the conduct attributed to him could not but bring great scandal upon the Church of which he was a member, a scandal from which the Church of Scotland had hitherto happily been exempted, and he hoped would ever continue to be. He begged to second the Motion of his hon. friend.

Lord *Althorp* could assure his hon. friend who introduced this Motion, that he had not the least doubt of his sincerity in wishing to improve the Bill, and that he did not mean anything hostile to the Church of Scotland; but, on the contrary, that he was actuated by the most friendly feelings towards it; at the same time, he (Lord Althorp) could not quite go along with him on the question. He admitted, as it had been stated by his hon. friend who spoke last, that it was possible his English feelings might lead him astray; and he was perfectly ready to declare, that he considered this a question on which the feelings of the people of Scotland ought peculiarly to be attended to. But he could not think that it would be right, for any of the reasons which had been assigned by his hon. friends, to prevent the clergy of Scotland from enjoying the elective franchise. The arguments which had been advanced in support of the proposition to withhold from the clergy that right, appeared to him inconclusive. It was stated, that the entire abstinence on the part of the clergy of Scotland from all interference with election contests, was to be ascribed to the circumstance that they had hitherto had no right to vote. This was not the true cause of their non-interference. It must necessarily be owing to the fact, that the class of persons among whom the right of franchise was distributed in Scotland, was so small in number, and of such a character, that it was not likely the clergy would attempt to influence their votes. His hon. friends had argued, that the effect of depriving the clergy of the elective franchise would be, to prevent them using improper influence at elections. This was not, by any means, a consequence naturally flowing from the circumstance of their not possessing a right to vote. From all that was known of the disposition of men's minds, it could not be predicated that a non-voting clergyman was necessarily a non-interfering clergyman. It was impossible, indeed, to conceive that the mere fact of being deprived of a vote would deprive the clergy of the influence which they at present deservedly possessed throughout Scotland; or prevent their making use of such influence, or of acting upon their own political feelings. If this, then, was the case—if they were not prevented from interfering at the elections, by being deprived of their votes, the ground on which his hon. friends had founded their arguments must fail them. Although those other inducements to which his hon. friends had alluded might have an effect upon the more respectable portion of the clergy, and make them abstain from all interference, yet the less respectable part would be actuated by the ordinary feelings that controlled the conduct of men. But might not the most conscientious clergyman feel it his duty to use all his influence on these occasions? Was it possible to suppose that a man living in a country where the elective franchise was distributed among the whole people, and who considered that one particular course of conduct by those electors would be beneficial to the country, should abstain from all interference; nay, that he should not feel it to be his imperative duty to interfere? He (Lord Althorp) could not believe it possible that persons possessing such influence as the Scotch clergy possessed, could be expected to abstain from exercising it; and if they would, at all events, exercise it, was it not better, and far more consonant with our sense of justice, to give them the same right as their fellow-subjects enjoyed, and allow them to use their influence openly by their votes, than covertly and in secret? On these grounds he was not inclined to agree with his hon. friends in supporting this Motion. If the clergy of Scotland received a right of voting, they ought to possess that right in the same way as the clergy of the Church of England enjoyed it. But this proposition went quite contrary to every principle on which they had been acting, because the extent to which it went was this—that a clergyman who lived in the county of Caithness, and had property in the southern extremity of Scotland, was not to be at liberty to vote; so that, because he was a clergyman, he was to be deprived of the elective franchise. On these grounds, he felt inclined to oppose the Motion — inclined, because if he thought it was the feeling of the whole people of Scotland, and, above all, the feeling of the clergy themselves, then, indeed, he should think it right to give the subject a more earnest consideration. His hon. friend said, he would exempt the clergy from the duty which the franchise imposed, and he wished it to be considered that he was conferring a privilege upon them, rather than inflicting a privation; but he (Lord Althorp) was afraid they would form a different judgment from that of his hon. friend. It was impossible to believe that a class of men, like that of the Scottish clergy, would be satisfied to be deprived of a right which had ever been regarded as a privilege of the greatest value. Looking upon the elective franchise as a great privilege to those who possessed it, and not seeing any ground to deprive the clergy of Scotland of it, he could not concur in the proposition which had been made. This proposition, however, was not confined to the clergy of the Established Church, but went a great deal further, and proposed to deprive the whole body of the Dissenting clergy of Scotland of the right in the same way. This would be depriving so large a class of persons of the right of exercising the franchise, that it was an additional reason with him for opposing the Motion, as one most disadvantageous to the country at large.

Mr. *John Campbell:* After what has fallen from the noble Lord (which I have heard with extreme pleasure), I shall very briefly address the Committee; but upon a question in which I feel such a deep interest, I cannot content myself with giving a silent vote. The hon. Member who proposed this clause had no occasion to make any protestations as to his motives. All who know him must be convinced that he is actuated by a sincere desire to promote the cause of true religion. The sentiments he expresses form a striking contrast with the fiery effusions of religious rancour which are sometimes poured forth within these walls. In opposing the measure, I hope I may take credit for as great respect and affection for the Church of Scotland as my honourable friend. Sir, it is my boast that I am the son of a minister of that Church, who for fifty-four years was pastor of the same flock. After deep and anxious consideration bestowed upon the subject, I am convinced, that to disqualify the Scottish clergy in the manner proposed would be highly inexpedient. As the Bill stands, the elective franchise is conferred upon them, not by any privilege, but by the general law. A special enactment is required to deprive them of that which is to be enjoyed by their fellow-citizens. To justify this, a very clear case of necessity must be made out. God forbid that they should become political partizans, or that anything should be allowed to divert them from the due discharge of their sacred duties! I approve of the statute which says that they shall not sit in Parliament; and I think it is much better that they should never be in the Commission of the Peace, as I have known many evils to arise from the union of the functions of a Clergyman and a Magistrate. But why should they not be allowed to exercise the elective franchise? What duty will they neglect or violate by going, once in five or six years, to the polling-place—(which can only be a few miles distant)—and voting for the candidate who they think is likely to be the best guardian of the interests of religion and morality. If, upon a dissolution of Parliament, the hon. member for Crail were again a candidate would it not be hard upon them that they should be deprived of the power of supporting the champion of those doctrines which they so much approve? If any of them consider the elective franchise a burthen, they can easily renounce it; for, by omitting to have their names registered, they will have no right to vote. But where, by the principle of the Bill, property, intelligence, and respectability, are to be represented, I do think it would be affixing a stigma upon the Church of Scotland, if it were enacted that no member of that Establishment can be a constituent. They must feel it as a degradation; and there is a great danger of your rendering dissatisfied and discontented a body of men, who, from their great influence over the middling and lower orders of society, it is of the utmost importance to attach to the State. It is vain to think that this attempt will detach from politics such clergymen as are determined to become agitators or political agents. It will only add to the inclination of many, who, if the elective franchise were within their power, might probably be indifferent about it—

> "Nitimur in vetitum semper petimusque negatum."

To create an absolute disqualification would be such injustice as I am sure, after what has been observed by the Chancellor of the Exchequer, very few will countenance. If you merely say, that a vote shall not be gained by the manse and glebe, those who are resolved to have a vote will easily acquire one in another right. But, suppose they were absolutely forbidden to vote in any right, might not this increase their influence? and by what law can you prevent their exercising that influence to please their patron, or to further any object of passion, or prejudice, or interest? My hon. friend should have gone on to render it penal for them to canvass any member of the Kirk Session, or any farmer, shopkeeper, or tradesman, within the parish—and this probably would only have increased the desire and the power to interfere. Look at the efforts made in the Church of Rome, having for their professed purpose to detach the clergy from all secular pursuits. Yet the priests of that communion have in many countries engrossed all the powers of the State, and mixed themselves up with all the affairs of private life. My firm opinion is, that if the elective franchise be intrusted to the Scottish clergy, it will very rarely be abused; and that, where it is exercised, it will be in support of the cause of learning, piety and patriotism. If the restriction were not extended to the Dissenters, the clergy of the Established Church would, by contrast, be placed in a most humiliating situation, being cut off from that which is allowed to Relievers, and Seceders, and Baptists, and Anti-baptists, and Burghers, and Anti-burghers. To extend it to the Dissenters seems to me contrary to the first principles of justice. The Dissenting clergy are not public functionaries; you give them nothing, and you have no right to impose any disqualification upon them. Besides, consider the anomalies and absurdities which would follow this enactment. A Catholic priest, with a freehold qualification, may vote for a Member of Parliament in England and Ireland, but not in Scotland; and a Bishop, who is a Dissenter in Scotland, would not be allowed even to poll for a Member of Parliament, while a Bishop in England has a seat in the House of Lords. For these reasons I feel myself bound to oppose the disqualification of the Scottish clergy. I should equally have opposed the disqualification of the Scottish Judges, and I had risen for that purpose before I knew that the learned Lord had agreed to give up the latter part of the 36th Section. If, upon any particular occasion, the Scottish Judges misconduct themselves, let them be punished; but it would be too much, without inquiry or accusation, to deprive them of that which they and their predecessors have immemorially enjoyed, and which is still left to all their brethren in the rest of the United Kingdom.

Sir *George Murray* felt called upon to say a few words on the present Motion, more especially as there had been some allusion made to him by the hon. Gentleman who brought it forward. It was with great satisfaction he had heard the observations which fell from the noble Lord, the Chancellor of the Exchequer; he had, in his (Sir George Murray's) opinion, taken a very just view of this case. The noble Lord had been often deservedly complimented upon the good temper which he had shown throughout the whole of the discussions upon this great and important measure, and he would compliment the noble Lord also on the pains he had taken to make himself acquainted with all the details of the Bill more immediately before the House. The noble Lord had evidently considered the present question with care and attention, and he (Sir George Murray) could not let this opportunity pass without thanking the noble Lord, on the part of Scotland, for his conduct in doing so. The present question proposed a new principle, and, at the same time, one of very considerable importance. It was, whether clergymen, otherwise entitled to vote, by possessing the requisite qualification, should be restrained from doing so on account of their clerical profession. He knew several clergymen of the Church of Scotland, who at present exercised the right of voting at elections, and he had never heard the least objection stated to their doing so. The principle contained in the proposition of the hon. Member was, however, that gentlemen in the station of clergymen ought not to be called upon to exercise a political right, because their interference in political matters was incompatible with the advantageous discharge of their religious duties. If the hon. Member intended to apply this to the Church of Scotland only, it was a proposition injurious to the character of the clergy of that Church. He had heard that many Scotch clergymen had objected to this clause, and had stated that the Church should be as little as possible mixed up in party politics, and in election contests. His reply had always been, that he concurred entirely in that opinion; and the hon. Gentleman had most truly stated that these sentiments were expressed by him last year, on presenting a petition to the House from the Presbytery of Dumblane, in favour of this clause in the Bill. But on acknowledging the receipt of the petition from the Presbytery of Dumblane, he (Sir George Murray) had given it as his opinion that the clergy of the Church of Scotland had a just claim to have the rights and interests of that Church protected in Parliament; and he had stated to the Presbytery, that it would give him pleasure to see that effected in the Reform Bill, by granting two Members to the Church of Scotland, on a principle analogous to that by which Representation was given in England to the Universities; and that, in this manner, the clergy would not be involved in the political contentions of their parishioners. When he went to Scotland, however, and had communication with several very respectable clergymen on this subject, he found that there was a desire on their part rather to withdraw as much as possible from political affairs, and they were, therefore, adverse to the suggestions which he had thrown out. But this very circumstance had led him to consider the little danger that would result from giving to the clergy of Scotland the elective franchise as proposed in the Bill, seeing that they themselves entertained the sentiments which he had just stated prevailed amongst them—namely, of seeking to withdraw from, rather than to covet, political power. He had felt all his life the most sincere respect for the Church of Scotland, and the firmest attachment to it; and, as a proof of its merited high character, and of its practical usefulness, he could appeal to the best of all tests of the value of any Church — its general and acknowledged beneficial influence over the moral and religious habits of the people under its guidance and charge. He was quite as desirous as the hon. Gentleman opposite could be, to preserve this character to the Church of Scotland, and he gave that hon. Gentleman full credit for his laudable intentions in that respect. He did not go along with him, however, in all his apprehensions, nor did he think, supposing these apprehensions to be well founded, that the course which that hon. Gentleman recommended would be effective in obviating them. The hon. Gentleman who spoke last (Mr. Campbell) had alluded to the Church of Rome. The policy of the head of that Church was, to separate the clergy from all secular affairs, but the result was, that that Church had been reproached with having interfered more than the clergy of any other Church in affairs of State, as well as in the affairs of individuals. It was a part of human nature to struggle against restrictions; and his own apprehension was, that they should, perhaps, rather excite the clergy of Scotland to greater interference than it was now their own wish to have with politics, if they cast an unmerited stigma upon them, by adopting the motion of the hon. Gentleman. His own conviction was, that the character of the Church of Scotland was their best safeguard: perhaps he should go too far were he to say, that he knew no Church to be compared with it; but this he would say, that he knew of no Church that went beyond it. The House might, therefore, safely yield this power to the Scotch clergy; and he was confident that the value which they must know attached to their present high character, would prevent them from improperly exerting their influence in political matters. He entirely agreed, therefore, in the view taken of this subject by the noble Lord; and, although he most willingly acknowledged that the hon. Member, who brought forward the Motion before the House, was influenced by the purest motives, yet he could not but think that his good intentions had drawn him aside from the most correct view of the subject, and that the success of his Motion would serve only to cast an unjust stigma upon the Scotch clergy, without producing the effect which he desired.

Sir *George Warrender* said, after what had taken place, he trusted that the hon. Member would withdraw his Motion. He was sure every one would give him credit for being actuated by the most pure and honourable motives in the course which he had pursued; but, after the reasons urged by the noble Lord, it would be inexpedient to press this Motion to a division. If the House were to assent to the proposition, it would appear something like throwing a stigma upon the clergy of the Church of Scotland. When there was a general rule of enfranchisement, it would be invidious to exempt any particular body of persons, and more especially men of the high character and attainments possessed by this class. He entirely concurred in what had been said, as to the benefits conferred on the people of Scotland by her clergy. No men had rendered more essential service to their country than they had. They had produced such a change in the character of the people as to place them in a moral point of view, above all nations, and had instructed them in such a way as to enable them to acquire influence and wealth in all quarters of the world. A great deal of the commercial importance of this nation was owing to the energy and exertion of the Scotch, who, from the nature of their education, were prepared to act in this manner. If the hon. Gentleman divided the House, he would be in a small minority. Therefore, he earnestly entreated him not to do so. He had no doubt that the hon. Gentleman had been urged to bring forward this Motion; but under all the circumstances of the case, he would not act wisely in pressing it.

Mr. *Andrew Johnstone* said, as the right hon. Baronet justly imagined, he had been strongly urged to bring forward this Motion. It would give him great pleasure to act upon the advice which had been given him but he did not see how he could consistently with his duty, withdraw this proposition. He certainly could not comply with this request, unless his hon. friend who seconded his proposition would consent to his doing so. He was anxious that the people of Scotland should know what had taken place on this occasion, and how many Members from that country were prepared to support his view of the case. As for pressing this Motion to a division, he was in the hands of his hon. friend.

Colonel *Lindsay* said, he had had several communications from Scotland on this subject, and it appeared that the clergy were, for the most part, anxious that they should not have the elective franchise. He certainly concurred in the present proposition, but thought, after what had fallen from the noble Lord, and other Members, that it would be better not to say more on the subject; he, therefore, must urge his hon. friend not to press his Motion to a division. He was perfectly well aware of the manner in which the hon. Member had been pressed to persist in his Motion; but under the circumstances of the case, even those who were most anxious that it should be carried would yield on the present occasion.

Mr. *Robert Ferguson* agreed in the principle of the proposition of his hon. friend. The less the clergy of any country had to do with political matters the better for themselves and their flocks. He agreed, therefore, in the general proposition. In consequence, however, of what had taken place, and seeing that there was no probability of his hon. friend's succeeding in his Motion he must request him not to divide the House. He was sure that his friends, the clergy, would recommend him not to proceed further with his Motion.

Sir *Andrew Agnew* agreed in principle with his hon. friend; and if he divided the House, he (Sir A. Agnew) should certainly vote with him, but sufficient had been done, and therefore, he would request him not to divide.

Mr. *Cumming Bruce* said, his opinion coincided with that of the hon. Member, but he must request him not to divide, as there was no probability of success.

Sir *Charles Forbes* said, as a son of the Church of Scotland, he could not be supposed to be indifferent to her interests. Taking the same view of the question as his hon. friend, he should support him if he went to a division; and, from the very general support he had received from both sides, he would recommend him to do so. Several hon. Gentlemen had stated that they supported his proposition, but did not wish for a division. He (Sir Charles Forbes) did not understand their mode of reasoning on this subject. He would tell the hon. Member at once, however, that if he did not divide the House, not one word of what had taken place would be published. It was now the custom to give at least something of a debate when a division took place; but very often, when there was no division, the most important matters passed unnoticed. He had only to add, that if the hon. Member did not divide the House, he would not.

Sir *John Hay* said, he concurred in the principle of this proposition; but, in his opinion, more evil than good would result from pressing it at this moment.

Mr. *Andrew Johnstone* said, as so many Gentlemen had declared themselves supporters of his proposition, he felt encouraged to divide the House. He felt deeply indebted to the noble Lord and the right hon. Gentleman for their kind expressions; but he might safely say, that he knew the Church of Scotland in all its workings better than either of them, and, although he was aware of great difficulties, he considered that he was bound to support the proposition he had brought forward.

Mr. *Cumming Bruce* considered the conduct of the hon. Gentleman rather extraordinary. He called upon hon. Gentlemen to declare themselves in favour of his Motion, so that he might say, that he was not without supporters, in case he did not press for a division, and now he had extracted these opinions, he intended to divide.

The Committee divided; Ayes 7; Noes 72; Majority 65.

Clause agreed to, as also were the other clauses to the 47th.

House resumed — Committee to sit again.

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HOUSE OF LORDS,
Thursday, June 7, 1832.

MINUTES.] Bills. Received the Royal Assent:—Reform of Parliament (England.)—Read a third time; British Museum; Vice-Admiralty Courts.

Petitions presented. By the Archbishop of CANTERBURY, from the Cotton Manufactories of Ashton-under-Lyne, in favour of the Factories Regulation Bill.—By the Bishop of LICHFIELD, from Osmaston, against Slavery.

HOUSE OF COMMONS,
Thursday, June 7, 1832.

MINUTES.] Bill. Read a second time:—Consolidated Fund.

Petitions presented. By Mr. BLACKNEY, from seven Places in Ireland, for the Abolition of Tithes.—By Mr. ANDERSON PELHAM, from Holbeach, against the General Register Bill.—By Lord HOWICK, from Alnwick, for the Abolition of Slavery.—By Sir RONALD FERGUSON, from Ross, Hereford; by Lord HOWICK, from Ledbury and Alnwick, for Stopping the Supplies.

REVISION OF SENTENCES.] Mr. *Paget* presented a Petition from the inhabitants of Hinckley, for commuting the punishment of Death for offences against property, unattended with personal violence. The petitioners expressed their opinion, that the punishment of death, while it is opposed to every feeling of humanity, and to every principle of religion, is, at the same time, inefficient in preventing the commission of the crime in others. He was desired to say, that these parties had not signed the petition without having first given the subject every consideration in their power, and that many of them had suffered cases to go unpunished from the knowledge of the severity of the law, and the uncertainty in respect to its infliction in many cases. This feeling had greatly increased in the country, and it was quite clear that the existing law required considerable modification. It was to be lamented that persons guilty of forgery frequently received the sentence of death, while the penalty was not always exacted, thereby rendering the punishment more uncertain than it would be if the law were milder than at present. These petitioners adverted to the discretionary power vested in the Crown, which occasionally led to the decision of cases upon evidence, not of that nature upon which a Court of Review, such as the Privy Council, ought to decide. Men might be frequently executed for any other crime than that for which they suffered, by the whisper of a wife or a mistress. If punishment was intended to have its due effect, it must be in public, and certain. While speaking upon the subject, he could not forbear expressing his heart-felt gratitude to the Legislature for what little had been already done to remedy the evil of which these petitioners complained; and more particularly to certain individuals, whose efforts every one must applaud. In presenting a petition of this kind, he might, perhaps, be allowed the opportunity of expressing his deep sense of the very great loss which the nation, and mankind at large, had just experienced in the death of that great man, Mr. Jeremy Bentham, whose labours on this subject were unremitting, and whose fame in the science of jurisprudence stood second to no man. He could not help expressing his high regard and great admiration of this most excellent gentleman, especially when he looked to his long life, which was free from all ambitious views, while his efforts were at all times directed to the improvement of his country.

Mr. *John Campbell* must tell the hon. Member opposite, that, up to the present moment, he never heard the discretionary power of the Crown, and of those in its service, in the cases which had been alluded to, called in question as to the beneficial manner in which it had operated, and continued to operate. On the part of the Court of Review, as the hon. Member had termed it, there was always the utmost anxiety and the most unremitting exertions made to arrive at the truth of the evidence; while there was always a disposition, if possible, to permit even the most trifling circumstance to operate in favour of the parties who had been condemned. He had thought it his duty to say thus much, because he was most anxious that the power vested in the Crown should not be misinterpreted as to its character and effect.

Sir *Charles Wetherell* considered the statement which had been made by the hon. Member most improper. Perhaps he did not know, that both Sir James Mackintosh and Sir Samuel Romilly (and no men were ever more staunch reformers of the law than they were) were strongly in favour of the discretion vested in the Crown. He would tell the hon. Member, that he had most unfairly cast a censure upon the past and existing advisers of the Crown, which, up to the present moment, he (Sir Charles Wetherell) had never heard attempted. The hon. Member did not, probably, know, that what he called a Court of Review was not to be so designated. A certain prerogative was given to the Crown, in the exercise of which it was assisted by the Judges, who laboured to find something which should lead to a relaxation of the punishment to be inflicted on the offender; and in full open Privy Council—instead of the principle of discretion being acted upon severely—a feeling was always shown to exercise it mercifully. The hon. Member was ignorant of the matter, and had evidently never bestowed one moment's reflection upon the subject. The principle had never been viewed as an abstract one, it having been a matter of complaint frequently, that instead of endeavouring to enforce the law, the object always, was to open the door of discretion wide. He was, therefore, very glad that his hon. and learned friend had made his statement to the House. He was most anxious to repel the charge which had been attempted to be made against the advisers of the Crown, past and present; and he must say, that the tone of those petitions was not likely to conciliate the feelings of those Gentlemen who were anxious to enter into the subject calmly and dispassionately. He hoped the hon. Member would be satisfied that he had made an erroneous charge upon the past and present advisers of the Crown; for, since the present Government came into power, they had not entered into the adoption of the abstract principle with reference to the discretionary power. He should maintain, that the statement which had been made was altogether untenable.

Mr. *Paget* said, in moving that this petition be printed, he assured the House that his observations did not go to inculpate any individuals who might have assisted in the exercise of the discretionary power vested in the Crown. He had called it a Court of Review, because it took under its consideration the decisions of the law, as pronounced elsewhere; and he did not think that anything which the hon. and learned Members had said, had tended to show the impropriety of the expression. He had a right to complain of the uncandid and sophistical statement which the hon. and learned Member below him had made, in referring to an observation of his (Mr. Paget's) as being a part of the contents of the petition. Now, in the expression of his opinion he did not mean to say, that when means were taken to exculpate certain persons from the infliction of death, who might be of the lower station of life those means did not operate. There was no instance in the higher walks of life, where great efforts were not made with the Crown and the law advisers to save the individual's life; and some hon. Members might remember instances in which those efforts had been successful; but was it not the fact, that the existence of a person in the lowest station of society, whose crimes had been slight, compared to those of the person in high life, was often sacrificed without any effort being made with the King in Council. He blamed no persons, but he deprecated the constitution of that which he should again call a Court of Review. There was a great difference of opinion among the people of this country on the subject of our criminal law; and he hoped that they would never cease to petition the Legislature upon it until a great modification of the law had taken place.

Mr. *Briscoe* gave his cordial support to this petition, and thanks to the hon. Member, who had put the matter on fair grounds.

Petition to be printed.

Factories' Bill.] Mr. *Sadler*, in presenting Petitions on the subject of the Factory Bill, begged to say, without reference to certain assertions made to the contrary, that having made the most extensive inquiry into the matter, since the bill first came before the House, he found that the statement of cruelties which he had on former occasions attempted to describe, was more than borne out by the facts. No case of hardship, no scenes of degradation, could be found to equal those which were endured in the mills and factories of this country. It was in vain for him to attempt to show what were the effects of the long-protracted and demoralizing labour which was heaped upon those helpless beings who had no defence by legislative enactments, but to whom the law of the land ought to be extended. He had witnessed a scene that day which had awakened his best feelings; he had had the gratification of being in a temple of worship, with many thousands of poor children, who were virtuously and religiously brought up, and had their minds enlightened by education. Theirs was a case which ought to be extended to those who were now helpless—

who were employed in factories, many of them without parents to watch over them, or any legislative protection from every species of cruelty. He could not but be deeply affected when he saw these tens of thousands of children thus clothed and educated in this great metropolis (and these formed only a part of the numberless infants thus happily provided for); and contrasted their condition with that of the many who were doomed to continued oppression, and to an endless degrading labour, such as the entire mass of poor children employed in mills and factories, who had no chance of imbibing any principle of moral conduct. All he had said respecting the excessive labour which was heaped upon these poor children was not more than true. When he said, that they worked for fourteen and sixteen hours a-day, the noble Lord, the Chancellor of the Exchequer, consulting, no doubt, his own charitable feelings, chose to deny his assertion, and said, that it must be founded on grossly exaggerated statements. He would now declare, after a most minute examination into the case, and upon the best evidence, that all he had formerly said was true, and, in many instances, understated. He rejoiced to find that, for once, this was not to be made a party question, for it had no relation to political matters. That man had not a heart in his bosom, who could consign wretched infants to that excessive degree of labour which he would not impose upon the brute creation. To the life of the beast of burthen was attached a value; the lives of slaves or of felons were all protected, because the Legislature was permitted to interfere to save them from cruelty. In all these cases, the law remembered mercy; but, in the case of the rising generation, no such protection was rendered; their moral or physical welfare was unheeded. They were regarded as mere machines, and when policy said, labour! labour! labour! this system was continued; and, after working fourteen and sixteen hours a-day, they were allowed only a few minutes for refreshment. He meant to assert, that the degree of labour which was performed by these infants was not to be endured. They were regarded as machines of no value. The employer made his calculation as to how many hours his machines were to work to yield a certain profit; but, as to what the human machine would bear, he made no calculation; he did not calculate how long that would continue to exist, and these infants were condemned to general hard labour, through which they became crippled in their limbs, and incapable of future exertion, from their being exposed to all this at a period when nature would not bear it; and then, at a certain age, like the chimney-sweeps, they were turned out of employ, to be supported by the public, or to be exposed to all the evils consequent upon a state of moral depravity. By the prevalence of this iniquitous system, too, a part of the adult population was deprived of employment. But was this state of things to continue to exist in a Christian country? In this case the feelings of the community would work a cure. Parental affection would apply itself to this great question, and would not consent that children should any longer be enslaved and ill-used. At present, the infant population was scourged to this excessive labour. After ten hours' fatigue, they had their vigilance excited by the whip; they were bound to pillars; they were chased round the factories, lacerated in their bodies, and crippled in their limbs. He had seen a letter from the first medical man in the metropolis, stating, that the accidents which happened to these children almost all took place in the latter part of the day, when the human frame was no longer able to bear up against the fatigue. Now, compare the condition of these children with that of the negroes. In the Crown colonies, the labour of slaves, under fourteen, and above sixty, years of age, was limited to six hours a-day; and yet the blacks had the enjoyment of good air, and the sea-breeze, while these children were subjected to the infected atmosphere of the factories. Even the adult slaves were required to work but nine hours a-day; and he, therefore, conscientiously said, that it would be much better for the humble classes of society in England, if they were the property of others; for then they would be valued, and their lives and limbs be of some consideration. Those who, as felons, were punished by labour, had to work in the open air, and even the men were limited to ten hours. But the children in the factories did not get off so easily; their labour was so excessive, that it took away all opportunity of moral and mental improvement. The result of this must be, that they were brought up in utter ignorance of the institutions of the country; and yet, if they offended any of those institutions, they were punished with the severest vengeance. When he had stated some of these facts at an earlier period of the Session, the noble Lord looked upon them as gross exaggerations; but now he might have an opportunity of examining the evidence, and finding that he (Mr. Sadler) was correct. He had been sent to a Select Committee on this subject; but how soon there might be any hope of the labours of that Committee terminating he knew not; but this he knew, that it was his intention, at all events, to take a constitutional mode of ascertaining the opinions of this House, and of pledging the feelings of the Legislature against this cruel and disgusting system of labour.

Mr. *Briscoe* said, that the Committee had now been sitting for three months, and he regretted that there was no prospect of a report or of any legislative measure being recommended by it. Should not such a proceeding be speedily forthcoming, he hoped that the hon. Gentleman would pursue his intention, and not suffer this Session to terminate, without proposing certain Resolutions on the subject, and taking the sense of the House as to their adoption. After the opinion which had been expressed on West-India Slavery, it would be highly reprehensible in the House of Commons to sanction a slavery at home, which was as bad as, or worse, than the slavery in the colonies.

Mr. *Dixon* said, that the Chairman had done every thing in his power to bring the labours of the Committee to a termination; and it was plain, from the evidence adduced, that such a system of atrocious slavery never before existed in the world.

Petitions read.

Mr. *Sadler*, in moving that they be laid upon the Table, begged to state, that the delay in the Committee had arisen from the circumstance of this bill having reference to every species of manufacture; the consequence of which was, that it had been thought necessary to substantiate the cruel practices employed in each different branch. He thought the case so plain, that he was in hopes that the House would agree to his bill without a Committee of Inquiry. He had, however, been sent before a Committee, and now the noble Lord had an opportunity of seeing that his gross exaggerations were simple truths; and that this system of cruelty was the general custom of all our manufacturers. That system was fatal. We were not a nation of murderers; but the negligence of the law suffered humanity to be outraged, and life to be held of no account. It had become necessary to make an alteration in that system, and, therefore, he would try every possible means of effecting it.

Lord *Althorp* could not admit the justice of the assertion, that our manufacturers conducted their factories in a manner which made the loss of health and life inevitable. Particular instances of such things might be adduced; but such was not the general custom.

Petition laid on the Table.

Mr. *Sadler*, in moving that the petitions be printed, repeated his assertion, that that system was destructive, in many instances, of life and limbs, and was always prejudicial to education. Could it for a moment be supposed, that thirteen hours of confinement were not prejudicial to the health of children nine years of age? He was glad to see the hon. member for Middlesex in his place, for he was mainly answerable for the delay, by sending the bill before a Committee. The hon. Member was responsible for that, and responsible for the fact, that not a man had been examined before that Committee, who was not, in consequence exposed to the vengeance of the manufacturers. The inquiry was unnecessary: it was a great national and individual expense, and the operatives had already spent far more on it than would ever be repaid. The witnesses, even those who had spoken most favourably of the manufacturers, had been discharged by them, and were reduced to a state of pauperism because they obeyed the summons of the House. It was an insult to common sense to have an inquiry going on for months, for the purpose of ascertaining whether children ought to be allowed to labour ten or twelve hours a day.

Mr. *Hume* was not a little surprised at the attack which the hon. Gentleman had been pleased to make on him. The hon. Gentleman had forgotten, that he (Mr. Hume) had stated that, if the Bill only referred to children of nine or ten years of age, he would agree to it at once; but as it proposed to limit the labour of persons of sixteen or eighteen years of age, that was a matter which ought to be examined upstairs. The Committee had been appointed, he believed, for a month, before it proceeded in its inquiries. He was, however, quite ready to take his share of any responsibility that might attach to the proposing of this inquiry because it behoved the House not to be led away by passion.

Petitions to be printed.

South Sea Islands.] Lord *Howick* moved for leave to bring in a Bill to enable the Governor and Legislative Council of New South Wales to make provision for the prevention and punishment of crimes committed in the islands of the Pacific Ocean. It was well known, the noble Lord observed, that runaway convicts, who got to some of those islands not within his Majesty's dominions, were in the habit of committing great crimes there, often inciting the inhabitants to make war on each other, and assisting them in those wars. The object of the Bill was, to give the Governor and council power to make certain regulations, which, as the law now stood, they had not the power to do.

Mr. *Hume* asked why they had not this power already?

Colonel *Davies* asked, was it intended to give jurisdiction over any of the islands in the Pacific which did not belong to us?

Mr. *Dixon:* It seems to me quite necessary that we should give power to the Government to repress the horrible crimes that are committed in New Zealand. But, at all events, it is in vain to debate this Bill till we see its contents.

Mr. *Burge:* I do not understand the intention of this Bill. If these islands are within the King's dominions, the Governor can do what is necessary, without any law. If they are not, this House cannot legislate with respect to them.

Lord *Howick:* At the present moment, by the New South Wales Act, the Courts there can try offences committed in these islands; but the Governor has no authority to make those regulations which are necessary for bringing the criminals before the Court. As an instance of the present defect in the law, I may mention the case of the captain of a merchantman, who went to New Zealand for flax; and, in order the more easily to obtain his cargo, he assisted one tribe in making war on the other, and actually allowed the former to eat their prisoners on board a British ship; and yet this miscreant escaped all punishment, from the defect in the law. I think that, if the House will allow me to bring in this Bill, they will perceive that it is calculated to answer the end of preventing such impunity in future.

Mr. *Croker:* If these horrible crimes of murder and cannibalism were commited on board ship, they must have been committed on the high seas; and surely there is a law to punish any crime committed on board a British vessel on the high seas.

Lord *Howick:* The right hon. Gentleman does not seem to have understood me. The Courts at New South Wales have power to punish crimes; but they have no power to bring persons who have committed offences at New Zealand before them, so that a man may be living at large in that island, and the Government has no power to apprehend him. With respect to the particular circumstances of this case, it is some time since it happened, and I do not profess to remember the precise technical difficulties that arose. This, however, I remember, that the man was brought to trial, and escaped punishment, owing to certain defects which could not be got over.

Mr. *Hume* wished to know, whether the Bill was to empower the Governor and Council to bring natives or British subjects from any of those islands?

Mr. *Spring Rice* suggested, that it would be better to defer all remarks on the subject until the Bill should be before the House.

Mr. *Croker* did not mean to object to the Motion, but on the case stated by the noble Lord he saw no necessity for the Bill.

Leave given.

Newfoundland.] Lord *Howick* said, that the second Motion of which he had given notice was, for leave to bring in a Bill to transfer the application of the revenues of Newfoundland to a legislative body, to be created there by a Commission issued by his Majesty, the papers relating to which had been laid on the Table of the House. By that Commission a legislative assembly, similar to those in the other North American colonies, had been given to Newfoundland. One object of the Bill which he asked leave to bring in was, to transfer, as he had said, the application of the revenues of the colony to the new legislature, with the exception of a small civil list for the salary of the Governor, Secretary, and the judicial and law officers. Another object was, to continue certain Acts relating to the internal affairs of the colony (which would expire at the end of this year), until the new legislature should otherwise provide respecting them. Another object of the Bill was, to continue the fishery Acts in force for two years from the present time. He would now move that the Acts to which he alluded should be entered as read, and that the House should resolve itself into a Committee of the whole House to consider of those Acts.

Mr. *Croker* asked, if the King's Advocate and other law officers, had been consulted on this Bill?

Lord *Howick* said, no: it was not considered necessary, the thing was so simple.

Mr. *Croker* was surprised at the answer of the noble Lord. He had never known of such a measure having been introduced without first consulting the law officers of the Crown.

Mr. *Burge* asked, whether the civil list was to be under the control of the Governor of the colony.

Lord *Howick* said, that the civil list was to fix the salaries of the Governor and the other officers he had mentioned.

The House went into a Committee on the Newfoundland Acts. A resolution was agreed to—ordered to be reported.

House resumed.

New Zealand.] Mr. *Dixon* wished to ask the noble Lord (Howick), whether the appointment of a British resident at New Zealand had taken place, and from whence his salary was to come?

Lord *Howick* said, the appointment had taken place, and that his salary was to come from the revenue of New South Wales.

Mr. *Dixon* observed, that the company of merchants trading to New Zealand had offered to defray the expense of a resident at that place, if one whom they recommended should be appointed. If the Government refused that offer, and allowed the expense of the resident to fall on the revenue of New South Wales, it would be seriously responsible, unless it could show that the individual whom it had appointed was much better qualified for the situation than the person whom the merchants had named. If he did not hear some satisfactory explanation, he should feel it his duty to bring the matter before the House.

Colonel *Davies* was glad to hear the determination of the hon. member for Glasgow. The revenue of New South Wales fell short of the expenditure, and any additional charge upon it must come from the pockets of the people.

Lord *Granville Somerset* asked, what security there was for the person of the resident in New Zealand.

Lord *Howick* replied, that he understood there was a very amicable intercourse between New South Wales and New Zealand.

Borough Officers.] Colonel *Evans* moved an Address for a return of the names and rank or profession of all persons holding the offices of Recorder, Deputy Recorder, and High Steward in borough towns; also Peers, and sons of Peers holding any magisterial, corporate, or elective appointment or situation in cities or towns sending Representatives to the Commons House of Parliament, distinguishing those eligible to become, by such appointments, returning officers.

Lord *Sandon* was glad he was present when this Motion was made as a relative of his was concerned in it. He had no objection to the returns being laid upon the Table, but he could assure the gallant Officer that his relative's High Stewardship gave him no power to influence the appointment of the returning officer. He thought it honourable that corporate offices should, in some instances, be held by Peers; it was a mark of respect on one side, and of friendship on the other.

Mr. *Lamb* said, that though the hon. and gallant Member had not made out any parliamentary ground for the return, he would not object to the first part of it, but he could not see any good which could be answered by the returns named in the second part. He thought that there was something invidious in calling for the names of individuals holding certain corporate appointments, for the purpose of inquiring into their eligibility. That must entirely depend on the customs and by-laws of those Corporations, with which the House had nothing to do. The Motion called for the names of Peers, and sons of Peers, holding "magisterial, corporate, or elective appointment or situation in cities or towns sending Representatives to the Commons House of Parliament, distinguishing those eligible to become, by such appointment, returning officers." Now he could not see why the sons of Peers were not as eligible to hold such offices as any other of his Majesty's subjects. He could not conceive, therefore, why they should be thus pointed out. A Member might, in his opinion, just as well move for a return of every man who had a black head of hair. The Motion would be just as reasonable and as useful. He had no objection to the first part of the Motion, and he hoped that the gallant Officer would withdraw the second part.

Lord *Althorp* trusted, that the gallant Officer would not press his Motion. If it were even acceded to, it was a matter on which no parliamentary proceeding could be founded.

Mr. *Strickland* opposed the Motion. The object of the gallant Officer seemed to be, to prove the necessity of having those situations to which the Motion referred exclusively filled by lawyers. Now he would call on the House to observe how the duties of Magistrates were performed throughout the country. They were, generally speaking, well performed; and yet many of the Magistrates were not lawyers. This showed that there was no necessity for insisting on the services of lawyers only in such situations as were referred to by the Motion. He should oppose the Motion, because he did not conceive that it would lead to any beneficial result.

Lord *Granville Somerset* suggested to the gallant Officer the propriety of withdrawing the Motion.

Colonel *Evans* said, as the hon. Gentleman (Mr. Lamb) was willing to concede the first part of the Motion, if he would be good enough to state his amendment, he would willingly strike out that part to which the hon. Gentleman objected. If, however, the sense of the House was against his Motion, he would not persist in it.

Motion withdrawn.

ALIENATION OF COLONIAL CROWN LANDS.] Mr. *Dixon* rose, pursuant to notice, to move "for the appointment of a Select Committee to take into consideration the Alienation of Crown Lands in New South Wales and Van Diemen's Land." The regulations under which the settlers, some years ago, had been induced to take lands, had, by subsequent regulations, been altered, in a manner extremely detrimental to those settlers. The colonists, especially the old colonists, complained of the new regulations, the principal of which were drawn up in August, 1831, by which they were compelled to pay a higher price for their land than they had formerly agreed to. They complained, too, of the advantages that had been given to the Australian Company. He did not want to enter into the general questions of settling the country, or of emigration, but the circumstances stated by the colonists were matters of fact, not of principle, and it would require something more than the denial of the noble Lord to upset their assertions. The interest of the settlers, particularly of the old settlers, was materially injured by these new regulations, and by the promises which had been made to them not having been kept.

Mr. Henry Lytton Bulwer seconded the Motion.

Lord *Howick* said, he could not acquiesce in this Motion; because it would, in fact, lead to an inquiry into the whole question of the mode in which land was allocated in the colonies, and as to the manner in which emigration should be encouraged. The hon. Mover had said that this was a mere question of fact, and ought to be inquired into. He denied the assertion, for the whole of the facts were already before the House, and had been decided on. The point was, whether certain individuals—those who were now complaining—should fulfil the agreement which they had originally entered into, or should give up their possessions. He did not think that any very great sympathy would be felt for those who, having the alternative, chose to select the latter course. He must say, that it would be an act of gross injustice to those settlers who had recently gone out, and who were obliged to conform to the new regulations, if others, who had previously procured land at a more favourable rate, were not obliged to fulfil their original engagements. The motion of the hon. Gentleman went to an inquiry on this point—namely, whether the system adopted by Government, with respect to the alienation of lands, was a wise or an unwise one. Now, he objected to the formation of a Committee for this purpose. Committees were useful where information was to be collected, or where facts were to be inquired into which were doubtful. But this was not the case here. The object of the hon. Member would be better developed, if he brought a motion before the

House, recommending some other system than that which was now adopted for the alienation of Crown lands in those colonies. The hon. Gentleman seemed to think that the new regulations had checked emigration. This was not the fact. The number of emigrants was, in 1828, 1,056; in 1829, (those to Swan River included), 1,965; in 1830, 1,242; at the commencement of 1831, he admitted, that there was a considerable decrease. That, however, was owing to the public not properly understanding the new regulations. But in the latter part of that year, when the nature of those regulations was known, the number of emigrants had increased in a very large ratio. He was most ready to admit that the grant to the Australian Company was a most profuse one, the land having been granted to them at 1*s.* 8*d.* per acre, for which other persons had to pay 5*s.* It was a bargain that should not have been made; but, having been once made, it was irrevocable, and it now only remained for the Government and Parliament to alter such a system.

Mr. *Cresset Pelham* hoped the Committee would be appointed.

Mr. *Cripps* said, that the grant made to the Australian Company was one of the best things that could possibly have been done for promoting the interests of a rising colony.

Mr. *Hume* complained of the mode of distributing land that had hitherto prevailed in New South Wales, and expressed his approbation of the plan now adopted by his Majesty's Government. The establishment of the Australian Company had advanced the colony fifty years in the career of improvement. It had introduced there the best breeds of sheep, and other species of cattle, that Europe could supply. It was owing to that Company that coals had been obtained at 7*s.* per ton, and therefore, so far from agreeing with the noble Lord in considering the grant made to that Company a profuse one, he thought that it was a most useful and economical one. The best way to promote emigration to those colonies was, to extend to them English institutions—such as the power of self-taxation, Trial by Jury, &c., in their best shape. If his hon. friend brought forward measures of that kind, and succeeded in carrying them, he would find that tens of thousands of emigrants would proceed to those colonies.

Mr. *Dixon* expressed a hope, that the noble Lord would again turn his sttention to the subject. He was sure that 5*s.* was too high a minimum price for land in those colonies, and the demand for that sum must prevent emigration. Seeing, however, no hope of carrying his Motion, he begged leave to withdraw it.

Motion withdrawn.

DIVISION OF COUNTIES AND BOUNDARIES BILL.] The Order of the Day for the further consideration of the Report on the Division of Counties Bill read.

Lord John Russell moved, that the Bill be re-committed.

The Speaker put the question, "That I do now leave the Chair."

Mr. *C. W. Wynn* expressed his approval of the principle of the Bill; but he thought it would be well if its provisions were carried further. For example, there were several instances of detached portions of counties lying surrounded by other counties. It would be proper to have a provision for taking the poll for such places on the spot. And as they were making regulations for conveniently taking the poll for county elections, he thought some regulations might be introduced to make the attendance of jurors and witnesses more convenient, by selecting other places than at present for holding the Assizes throughout the country.

Lord *John Russell* reminded the House, that the Bill which had this day received the Royal Assent, and the Bill now before the House, formed, as it were, one Bill, the object of which went to the regulation of elections for Members to serve in Parliament, and he thought, that such being the case, it would be well to keep these two measures distinct and separate from any other object. He, at the same time admitted, that a different division of counties, for the purposes of the administration of justice, would be most desirable, and he should be happy to see a separate Bill introduced for the consideration of the House for that purpose, after the present measure had been disposed of.

Mr. *C. W. Wynn* said, that on consideration, he felt it would be better to confine the present Bill to its purpose, more particularly as allusion and reference was made to it in the Reform Bill.

House in Committee.

On the first clause being put,

Mr. *Croker* inquired if it was intended by his Majesty's Ministers to propose any alteration in the Bill as it stood.

Lord *John Russell* replied, that no alteration would be made in the principle of the Bill, but with respect to some of the details, he meant to propose alterations, while, with respect to others, he should wait until he had seen the feeling of the Committee upon them.

Mr. *Croker* said, he must, then, consider that the Bill was now before the House as it was substantially proposed to stand. He did not rise for the purpose of offering any opposition to the clause before the House, but for the purpose of pointing out the discrepancies contained in the provisions of the Bill. His principal objection to the Boundary Bill was, that it was ancillary to the Reform Bill. It was a continuance of the same system of delusion, anomaly, and illegality, as that of the Reform Bill, which he had deemed so flagrant that he had thought it his duty to denounce it in the strongest terms. He would begin by stating, that to part of the Bill he had no objection, always subject, however, to his general objections to the measure as ancillary to Reform. The general rule of taking in any new town which had grown out of the limits of a borough, was a fair one, and any contrary course of proceeding would have involved the House and the Government in great difficulties. But he confessed he was surprised at many cases where that principle had not been applied, and at others in which it had been stretched beyond all justice and reason. He would, for example, take the case of Exeter, which had already been cited for the purpose. Exeter was a city containing 28,000 inhabitants, and at present 2,500 electors. Two villages had grown up near the city, mere places of recreation for the inhabitants, and both of them were beyond the bounds of the county of the town. He did not see what necessity there was for disturbing the ancient landmarks of the place, and yet Ministers had done this in order to include the people of these villages in the franchise of Exeter, although that city already possessed a sufficient number of electors to render the elections open and free. In the case of Abingdon, no such alteration had been made, though the number of inhabitants was only 5,000, and the number of 10*l*. houses not above 300. Again, there was the case of Helston: it stood on the edge of a parish, and the buildings beyond the boundary were not added. [Lord *John Russell:* These are to be.] Then he would say nothing further on this ground, but that proved what he had long ago remarked, namely, that the Boundary Bill might render both schedules delusive and nugatory. If by a rule of the Boundary Bill, boroughs were increased to a certain size, schedule A, as contradistinguished from schedule B, was an absurdity. Would the House believe that Old Sarum, the bye-word of Reformers, was, by the operation of the Boundaries Bill, to be preserved? If there was one borough, the name of which had been rendered more opprobrious than another, it was Old Sarum, and yet how had Ministers acted in order to preserve this calumniated borough? They had contrived to throw the constituency of Old Sarum into that of Wilton, and thus was Old Sarum, somehow or other, still preserved in schedule B, under the name of the borough of Wilton. Wilton stood thus:—

	Population.	Houses.	10*l*. Houses.	Taxes.
Original borough ..	1997	316	75	£432
Proposed borough ..	7753	1717	299	£1966

Being an addition of 5,756 inhabitants, 1,401 houses, 224 10*l*. houses, and 1,534*l*. taxes. And here this extraordinary fact presented itself. To form the new borough of Wilton, seventeen parishes, or parts of parishes, were added; and amongst them was the parish of Stratford-under-the-Castle, which happened to include Old Sarum. As the Bill preserved all existing rights, Old Sarum was just as much preserved as Wilton; and was, however it might be phrased—whether they professed to give the electors of Old Sarum votes in the new borough of Wilton, or the electors of Wilton votes in the new borough of Old Sarum, the fact was the same, and proved his proposition, that Old Sarum itself was, by the Ministerial plan of additions, capable of being raised into a sufficient constituency. The noble Lord applied the epithet "scandalous" to the three boroughs of Old Sarum, Gatton, and Midhurst. Now, let the House see what had become of them. Old Sarum was preserved, as he had already shown; Midhurst was preserved in all its integrity; and Gatton had the narrowest possible escape of being preserved; for Reigate, which was near to it, had only 270 voters, and if the general rule had been followed in making up its constituency to

300 voters, Gatton also would have been preserved. This was ludicrous; but it involved likewise grave considerations, for it showed the injustice of the original disfranchisement of the boroughs in schedule A, without considering the result of the whole operation. He would ask any Gentleman on the opposite side, who voted for the preservation of the towns in schedule B, whether it was not under the impression that they offered a better constituency, and were more considerable boroughs than those placed in schedule A? Now, that was positively not the fact. It did so happen, that a majority of the boroughs in schedule A, if they were to be treated as the Boundary Bill treated the boroughs in schedule B, would, in almost every case, afford a superior constituency. He would mention to the House two or three instances where this was the case. He would first refer to Midhurst and Amersham. In the first Reform Bill which Ministers had introduced into that House, the borough of Midhurst had been placed in schedule A, and the borough of Amersham in schedule B. Thus stood the case in the first Bill, but, by a dexterous manipulation, Ministers had reversed the case, and in the second Bill, Midhurst was found in schedule B, and Amersham had been transferred to schedule A. But how were Ministers to get a constituency for Midhurst, which the noble Lord had called "scandalous," to justify the transformation? They had to look about for seventeen adjoining parishes, and having included these as part of the town of Midhurst, they were enabled to bring the borough into schedule B. But by a similar addition, under this Bill, of only five parishes, Amersham, would have a population of 12,590, yet it was placed in schedule A, while Midhurst, which formerly occupied a station in schedule A, was placed in schedule B, in consequence of the addition of seventeen parishes to it, raising it to a population of about 5,000 persons—not half the amount to which the addition of five parishes would have raised Amersham. He must not, he was told, charge Ministers with partiality, but he would ask, was this fair justice to the inhabitants of Amersham? Midhurst contained 1,478 inhabitants; Amersham 2,862, double the number of Midhurst; and if additions must be made, make them equally on both sides, and Amersham would still maintain its immense superiority. If this was not injustice, if this was not a principle altogether unintelligible, he did not know what was. There might be some excuse if one was a very ancient borough, or if there were peculiar circumstances which rendered it important that it should be preserved; but there was no excuse of the kind. Ministers had a legerdemain of their own, and they had disfranchised the larger one, and preserved the least deserving. He would next notice Wilton and Bedwin. The last was condemned in schedule A, while Wilton was preserved in schedule B. Now Wilton had a population of only 1,999, while that of Bedwin was 2,191. In the case of Wilton the Commissioners were obliged to go a great distance, and to include no less than eighteen parishes to procure a constituency. In their way they found Old Sarum, which he thought was completely dead and buried in schedule A, but by this Boundary Bill it was galvanized, and, in a manner, restored to life, so that the electors found themselves just as important as those of Wilton. He did not mean to say that Wilton would be a nomination borough when Old Sarum was added to it, but no more would Old Sarum have been if it was placed in schedule B and Wilton joined to it. Shakespeare said that "a rose by any other name would smell as sweet," and a rotten borough surely would not smell less ill by whatever name it might be called, whether Old Sarum or Wilton. By the junction of these eighteen parishes, the population of Wilton itself must be completely swamped, for it amounted now, with these extravagant additions, to 8,300. If only the five parishes immediately adjoining Bedwin were taken, there would be a population of 6,298; much more dense, therefore, than the population round Wilton. He came now to Droitwich, which was preserved by the addition of eleven parishes to make a population of 5,900; while Wendover was condemned, where a population of 6,600 might be had by joining the five parishes which immediately touched it. He had similar observations to offer with respect to Aldeburgh, which he had the honour to represent, and Plympton, and other places, but should not mention them now, his only object being to show the result to which the Boundary Bill actually led in some instances, and which it was, therefore, probable it would produce

in so many others. Such circumstances as these must naturally lead to a suspicion that all was not right, and that the Boundary Bill was as little founded on principles of justice as the other measure with which it was connected. The country had a right to expect that the same principle would be applied in all cases; but when the practice so greatly varied from the principle, people would be led into a suspicion that there must be some motive for it. There were not less than twenty-seven of the boroughs created by this Boundary Bill which contained more than 10,000 acres of land. Malmesbury, which was placed in schedule B, had originally only 130 acres, and an addition was made to it of not less than 22,000. The borough of Marlow stood at first in schedule A, but they afterwards voted it two Members. It had at first only 200 acres; now it had no less than 12,000. Morpeth had only 270 acres; it had now 14,000. Every person must see that these were, in point of fact, by such large additions of land, not boroughs, but small counties. It was mere mockery to call them boroughs. As the poet said of his over-adorned mistress, the borough in these cases was the least part of itself.

The case of Tamworth was deserving of particular notice. It was a curious case. The limits of the town and of the borough were originally the same, or very nearly so, containing within its limits eighty-three acres. By the Boundary Bill, however, it had 11,000 acres. It was a remarkable fact that Tamworth had a sufficient constituency without this addition. The Commissioners, however, said, "the rates are uncertain; we will not, therefore, consider ourselves bound by the rated value of houses; we will look to their real, and not to their rated, value." In other cases, when they found a place with 300 *bona fide* rated houses, they went no further for a constituency. Why not do the same in the case of Tamworth? In Tamworth, by a rating which took place in 1826, when there was no thought of the Reform Bill, it appeared that the number of houses rated at 10*l.* was 325. Notwithstanding this, an effort was made to swamp it by the addition of 11,000 acres. This, of course, could not arise, nor did he mean to say it did, from a view to the interest or inconvenience of any particular person. Still he saw no satisfactory way of accounting for it. But what was the case of Stafford? Tamworth and Stafford were similarly circumstanced in almost all respects. In both cases the limits of the borough were very nearly the same as the limits of the town. There were in the borough of Stafford 370 acres. The limits were well defined; but there was a place called Fordgate adjoining, and this, consisting of about 200 acres, was added to the borough. There was a small suburb also similarly situated with respect to Tamworth. Did the Commissioners join this to Tamworth, as they did Fordgate in the other case? No, but they added 11,000 acres to Tamworth, and only 200 to Stafford. All this was done under the pretence of getting a constituency. It was said, there were only 248 rated houses in Stafford, and that the number of 10*l.* houses must be greater there than this, he admitted that it was probable; but there were ninety more rated houses in Tamworth than in Stafford, and supposing the rating to be as imperfect in one as in the other, what excuse was there for subjecting Tamworth to an addition which Stafford was spared? He could see no honest difference in the two cases, and no reason why there should be added to Tamworth 11,000 acres, while only 200 were added to Stafford.

Let the House also see how these principles were applied in the cases of Bridport and Arundel. The rule laid down by the Commissioners was, to take the town itself first; if the town or borough did not present a sufficient constituency, they took the parish; if the required number could not be found in the parish, they took in other parishes. Now, in the case of Bridport they did not add the parish, but three small districts adjoining, making the population 5,800, and adding 318 acres. Some might suppose, from the name, that Bridport immediately adjoined the sea. That, however, was not the case. The river ran down a distance of about a mile from Bridport to the harbour, and along this line there were warehouses, storehouses, and other buildings. If their own rule was to be adopted, one should think that the Commissioners, in forming the new borough, would connect the town with its harbour. But no such thing. They entirely excluded two parishes which connected the town and the harbour. Now, look at the case of Arundel. In this the Commissioners went for a constituency to Little Hampton, not less than seven miles distant. [An *Hon. Member:* Only three miles; seven by water.] Well, let it be three or five or seven miles. In the case of Arundel the Commissioners went to Little Hampton for a constituency, while in that of Bridport they declined going to Bodden Hampton for the same purpose, though only one mile distant from the town. It was just in the same way that the Bondgate of Rippon was included, while the Bondgate of Appleby was excluded.

He should say nothing of the borough of Stroud, and such others, which obtained Representation on the ground that they formed the centres of great manufacturing industry, though the population was somewhat scattered. The borough of Stroud was not less than twelve miles long and eleven broad. In place of the word "borough," applied to many such places, he should rather substitute the new word "scatteration," which they had heard that night for the first time, and he thanked the hon. Member who furnished him with it. He knew no other which could so forcibly or so clearly convey an idea of the newly-made boroughs.

He meant to impute no blame to the Commissioners for differing in their respective views. It was quite natural they should do so in an affair of so much difficulty and variety but he must complain that the whole face of the country was thus parcelled out at the will and pleasure of any set of men, without the superintendence and direction of some master-mind, capable of applying some just and general principle to all the cases. To show upon what different principles the Commissioners had acted, he would only quote two or three instances. To the town of Berwick-upon-Tweed and contrary to the wishes of the townspeople the Commissioner added the town of Tweedmouth. Why? Because the inhabitants of Tweedmouth desired it. In that instance, then, the wishes of the inhabitants of Tweedmouth were preferred to those of the inhabitants of the old borough of Berwick. But what was the course of proceeding at Nottingham? At Nottingham, said the Commissioner, "there is a mass of continuous buildings adjoining, and, indeed, forming a part of the town:" but he forbears to recommend the addition of those houses to the borough, because, said he, "it will be in direct opposition to the wishes of the inhabitants of Nottingham." In the instances of those two towns, two directly opposite principles had been acted upon. The wishes of the people of Berwick were set at defiance—the wishes of the people of Nottingham were strictly and carefully regarded. Of the two Commissioners by whom the limits of those several boroughs were fixed, one said white—the other black. Now it happened that there was a third Commissioner, who, in the case of another town, was willing to steer between the black and white extremes, and make his report of what was just now a very popular colour—grey; for the Commissioner who visited Boston said, "the making an addition to Boston would gratify the feelings of one party, and offend the feelings of another." But, continued he, very wisely, "the feelings of parties are no part of our province;" so that the Commissioner at Berwick felt it to be his duty to disregard the feelings of the people of Berwick; the Commissioner at Nottingham had a different opinion upon the subject, and felt it to be an imperative duty to yield to the wishes of the people of Nottingham; and the Commissioner for Boston felt it to be his duty to regard the feelings of neither one party nor the other. Then another Commissioner went to Grimsby, and he said, "Grimsby is increasing enormously." Yet that factdid not preserve to Grimsby its original integrity. It was to have an addition of he did not know how many acres, but something very considerable. "But," said the Commissioner, "although Grimsby is a considerable town, and increasing enormously, it has at present only 189 10*l.* houses." And whereas it happened to have 399 existing resident freemen, the Commissioner felt himself "reluctantly obliged," in order to establish something like a proportion between what he called "property votes," or 10*l.* houses, and resident freemen, to add he (Mr. Croker) did not know how many houses to Grimsby, for the purpose of deluging those who, by servitude or inheritance, had obtained a right to vote. This was the first time that he had ever heard that a number of resident electors was a ground for disturbing the boundaries of a town, and deluging its constituency by an influx of foreigners. Such, however, was the Commissioner's avowal in the case of Grimsby. But *e contra*, as the law books said, in the case of the freemen of Berwick. At

Berwick there was a vast number of freemen non-resident, "the consequence of which," said the Commissioner, "is, that the number of freemen will be so much diminished, as to render it absolutely necessary to add Tweedmouth to it, in order to make up the deficiency of voters." What was that but blowing hot and cold with the same breath? Why was not the principle acted upon at Grimsby to be equally good at Berwick? Or why was not the rule adopted in the case of Berwick applied to Nottingham, to Dover, to St. Alban's, to Hertford, to Durham, to Newark?—in every one of which cases, Gentlemen who examined the returns would find that the disproportion between freemen and householders was greater.

He had with him a mass of papers containing further instances of the same kind, with which, however, he was unwilling to trouble the House. He had mentioned only a very small part of the numerous cases of injustice and absurdity which appeared in this Bill. Any Gentleman who pleased might, with very little trouble, increase the list, for he defied any man to examine a single page of these six volumes of Reports without finding similar anomalies, partialities, and absurdities.

He then came to another observation of great curiosity and importance. Schedules A and B were first formed on the standard of population, and undoubtedly there was no other sound principle, according to the doctrines of the day, that could be applied; but Ministers afterwards adopted, as a new guide, the number of houses and amount of assessed taxes: which, after all, was only another, though less satisfactory process, for arriving at the same result; for although the new element of taxation would disturb the ratio here and there, yet he believed it would be found that, in a country like England, the number of inhabitants and the number of houses were pretty nearly in equal proportions. Nor did the introduction of taxation into the new calculation destroy, though it might affect in particular instances, the principle of population, because it would generally be found that 10,000 people in Lancashire paid pretty much the same amount of taxation as 10,000 people in Yorkshire, and though taxation varied more in cities and towns, still, on the whole, there was a certain proportion observable between taxation and population. Thus, then, indeed—and the noble Lord was candid enough to confess it—though disguised under the form of houses and taxes, population was still the professed Ministerial basis of enfranchisement and disfranchisement. Now, would it be believed that this Boundary Bill, the handmaid of that Reform Bill which, in its principle and details, affected to consider population as the first element of Representation—would it be believed that the Bill then before them was about to abandon that standard altogether, and to confer the franchise in so partial and arbitrary a manner, that in a numerous and important class of boroughs the greater population should have the less share of Representation? The first case he would notice was, the town of Honiton; and, the House would permit him preliminarily to observe, that he made no objection whatever to the decision which had been come to in this case, of leaving Honiton its two Members. All he said was, that if the decision in this case be right, as he thought it was, there were numerous decisions to which the Commissioners had come, which must, on the same principle, be, to all intents and purposes, substantially wrong, as he thought they were. The town of Honiton was to have two Members; it received very little addition—very little indeed—and contained 3,509 inhabitants, 738 houses, 318 10*l.* houses, and paid 1,129*l.* in assessed taxes. Recollect this place was to return two Members. He would then mention six other places, all superior to Honiton; superior in every one of the points which Ministers would have them believe they had taken as their guides—population, houses, 10*l.* houses, and taxation—but which, notwithstanding their superiority, were doomed to lose one Member; these were—

	Population.	Houses.	£10 Houses.	Taxes.
Christchurch	6,087	1,354	400	2,066
Hythe	6,903	1,478	537	1,336
Morpeth	6,678	1,125	446	1,130
Shaftesbury	8,518	1,641	382	1,371
Clitheroe	9,890	1,853	359	837
Wallingford	7,159	1,409	412	1,794

He did not object to Honiton keeping two Members; on the contrary, he rejoiced at it, for he had never advocated any of these changes; but what he said was, if Honiton, on a principle of houses, population, and taxation, was to have two Members, why were towns of double its importance, in all those respects, to have but one? Perhaps it might be said, that he picked out Honiton on the one side, and the six boroughs he had mentioned on the other, and that what he complained of was a mere accident. He should show, that such accidents were very frequent; and in order to exhibit a more general and indisputable proof, he would, instead of one, give the House ten examples. He would compare ten boroughs that are to return one Member each, with ten boroughs that return two Members each. That was pretty fair, he thought. This decimal average could not be very much garbled when it was considered that there were but thirty of these boroughs altogether. Perhaps it would be sufficient to give the total of each set of boroughs, as he feared the House must be fatigued with those tedious details. Did the House choose that he should read the names of these boroughs, or should they be taken in the gross? [Read! read!]. Perhaps he had better read them. The matter was of such great importance, and of so serious a nature, that the House and the country ought to be put in possession of all the facts. Well, then, he would first read the ten boroughs that are to return one Member each, and then the ten boroughs that are to return two Members each:—

ONE MEMBER.	Population.	£10 Houses.
Eye	7,015	330
Woodstock ..	7,055	370
Christchurch ..	6,087	400
Malmesbury ..	6,136	351
Hythe ..	6,903	537
Dartmouth ..	4,612	422
Shaftesbury ..	8,818	382
Clitheroe ..	9,896	359
Morpeth ..	6,678	446
Wallingford ..	7,159	412
	70,359	4009

TWO MEMBERS.	Population.	£10 Houses.
Thetford ..	3,462	203
Maldon ..	4,895	260
Marlborough ..	4,186	299
Richmond ..	4,722	301
Sudbury ..	5,500	301
Leominster ..	4,300	307
Bodmin ..	5,358	311
Totness ..	4,108	319
Honiton ..	5,509	318
Chippenham ..	5,270	319
	47,310	2938

Thus, by this impartial and rational Bill, rendered necessary by the anomalies and inequalities of the present system, and moulded for eighteen months in the plastic hands of the Ministers, they obtained this fair, just, and satisfactory result—that ten places, having 70,359 inhabitants, and 4,009 electors, are to return ten Members; while ten other places, with 47,310 inhabitants, and 2,938 electors, are to return twenty Members. If noble Lords and hon. Gentlemen should tell him that such was the state of things now—that London returns only four Members, and that Weymouth and Melcombe Regis return four Members, his answer was—very well; the country had borne with those anomalies, because they had come down to this generation, sanctified, as it were, by use and custom; they were borne by our ancestors, and they had become accommodated to our habits, if not to our reason; but in the list of the ten boroughs which he had read, every one of them had been handled and moulded by his Majesty's Ministers to their own fancies, and not one of them had been left in its original state. It was in their power to have corrected old anomalies. These new ones were of their own seeking and their own making. Why, was there ever such a thing heard of as that, upon a principle—a principle of rating—a principle of taxation—a principle of population; was ever such a thing heard of, as that double the number of electors, in one set of places, should return but half the number of Representatives that were to be sent by another set of inferior places?

But, not to rest on selected cases—not to look at only one, or even at only ten cases—he would take the whole thirty boroughs of schedule B, and compare them with thirty other boroughs, which preserved their two Members, but which had also undergone such alterations of boundary as to the Ministers seemed just; and what was the result? The population of the thirty boroughs in schedule B, returning thirty Members, was 170,000; the population of thirty other boroughs, returning sixty Members, was only 152,000; so that a population smaller, by near 20,000, would return double the number of Members. Had he treated this case fairly? All he could say was, that he had made those calculations to the best of his ability, and he had no doubt this would be found as correct as calculations of this sort could be. There was the calculation, however, and any noble Lord, or hon. Gentleman opposite, whether versed in decimal calculations or not, would be able to correct him if he had stated anything incorrectly, Having made these statements, the House would excuse him for saying, that he declined altogether to enter into the details of the Boundary Bill. With such anomalies running through it, founded on such incomprehensible principles, and leading to such extraordinary results, he confessed he did not see how, by any labour on his part, it would be possible to alter it to anything like impartiality, justice, or common sense. These anomalies, in in his opinion, arose altogether, or at least in a great degree, from departing from the original principles, and desiring the Commissioners to exercise their discretion as to the additions which they should make to the different boroughs. If the noble Lords had adhered to the principles which must have been in their minds when they originated the two schedules, A and B—if they had adhered to the professions on which they debated them in Committee—namely, considering the town as the borough, and treating it as such, these anomalies could not have arisen. But, from whatever source they had come—from whatever fountain they had been derived—the result was still most unfortunate, most lamentable, and most disgraceful. If he looked at the Reform Bill before with dissatisfaction and apprehension, he looked at it now with double apprehension, and still greater dissatisfaction, because he was satisfied that, amalgamated as it was with this Boundary Bill, if it were in itself as full of youthful life and vigour as the noble Lords could wish it to be—he was satisfied, he said, that, tied to such a mass of inconsistency, anomaly, and absurdity as the Boundary Bill, it could not last through two Sessions of Parliament. That was his solemn belief. He was sorry—very sorry for it. The Reform Bill had now passed beyond their control, and would to God that they could flatter themselves that it would work safely and well, so as to enable the country to escape those dreadful results of which revolution, in every stage, was productive and of the horrors of which they had this day received a new and fearful corroboration. It was only the other evening, that by a curious coincidence, at the very moment when an eloquent Gentleman, whom he did not see in his place, was eulogizing, in the happiest language, the last revolution of France for its moderation—for its bloodlessness—and for the tranquillity with which it had blessed that country—at the very moment that the hon. Gentleman was speaking of that revolution in this strain of encomium and approval, cannon were roaring and blood was flowing in the streets of Paris; and there arrived this day a practical contradiction to the eloquent but fallacious argument of that hon. Gentleman. He hoped and trusted that this country would never come to a similar catastrophe, though he could not hope that the Reform Bill would be allowed to work long enough to become assimilated to our habits and our wants. It had within itself principles of movement and change, the force of which this Boundary Bill only increased, and rendered more formidable. He had once hoped—indeed, he had had no doubt—that in another place there would have been found the means of assimilating some portion of the new system to the pre-existing state and sentiments of this once great and happy country—of agreeing on some modifications which might have alleviated, or at least postponed, the results to be expected from it. But he did most solemnly assure the House, that even if the expectations he had formed of the influence of the other branch of the Legislature had not failed, in his opinion this Boundary Bill would of itself be sufficient to deprive him of all hope that Parliament was making an arrangement which would be satisfactory or permanent. For could it be believed that the thirty boroughs partially disfranchised in schedule B, containing 170,000 inhabitants, and permitted to return but thirty Members, would be contented or satisfied, when boroughs no better than themselves, on any consideration whatever—worse, indeed, by 20,000 in population—were to return double that number? Was it in nature, that all the towns in the west should not look to Honiton, and say—"How does it happen that the smallest amongst us all is the best used?" Was it possible that they could hope to have satisfied the citizens of Exeter? He laid no stress on the case of Exeter, except that they had healed it so differently from Nottingham and other places that they had changed the ancient boundaries of the place—they had shaken the ancient institutions—they had disturbed all the Representation of the country—and for what? For nothing but to gratify their own fancies or perhaps their political prejudices. If the Reform Bill involved, as it certainly did, gross errors of detail, as well as of principle, there was still some excuse to be made for such defects. The Reform Bill was a great moral and political measure, and in morals and politics there was no absolute and unvarying rule by which every part could be adjusted to one standard; but here, in a geographical Bill—an arithmetical Bill —a numerical Bill—a standard existed, and it was unpardonable, in adopting the system, not to adhere to that standard strictly. It was unpardonable to allow the fugacious fancies, the local or personal partialities of a set of Commissioners most of whom were also candidates, to interfere and derange the perfect fairness of arrangement. When Gentlemen opposite were kneading those boroughs, as a baker kneads the dough of which he makes his loaves, it was unpardonable not to form them of the same size and shape, and, in equity, they were as liable to an indictment as the fraudulent baker who palmed off false weight and measure on his customers. He thanked the Committee for the indulgence with which he had been received, and assured them it was with pain he had made these observations, the last, perhaps, which he should ever have an opportunity of uttering in that House; but he added, in conclusion, that it would afford him more pleasure than any circumstance that had occurred in the twenty-seven years of his parliamentary life, if the noble Lord opposite could convince him that, in the several points he had mentioned, he had been in error, and that there was the slightest probability that the country could acquiesce in new parcelling of the limits, land, and franchises of England.

Lord *John Russell* thought, that the accusations of partiality, in treating the cases of particular boroughs with favour or injustice, which charges had been of great use to the right hon. Gentleman during the Reform discussions, would not have been renewed, now that the season for them seemed passed, more especially as those accusations had been so frequently and fully refuted. He did not feel it necessary to follow the right hon. Gentleman very closely over his extended field of remark; if there was any force in his complaints, the proper time to consider the subject would be, when the boundaries of each individual borough came to be determined. Reserving to himself the right of defending the determination of the Commissioners, in respect to particular places, when he came to them, it might be best for him not to refer at length to details, but rather to the principles on which the Commissioners had proceeded in founding their report. In the case of great cities and towns, where the town had grown beyond the limits of the borough, or where there was an adjoining village, closely connected with, or having an interest in the town, it was thought right to add to the town or city, however large, and although possessing in itself a sufficient constituency, that additional population which the increase of commerce and business and wealth had placed in its vicinity. This was the case of Exeter. But, where there was a town with a sufficient population and constituency, and no villages connected with it, but an outlying agricultural district adjoining, it was thought proper not to propose any addition. Such was the case of Ipswich. In other instances, from the smallness of the borough, it became necessary to add to it several parishes, not going, however, beyond a reasonable distance. Whatever might be the wishes of the hon. Gentlemen opposite to carry this measure further, he must observe, that he did think small country towns, with moderate rural districts round them, were extremely likely to send valuable and well qualified Members to Parliament, and that many whose habits and pursuits rendered them familiar with matters of great importance, and who would be found ornaments of the House, might feel, that though they could not become Representatives of considerable constituencies, or of counties, they would consent to be nominated as candidates for boroughs of this kind, to the inhabitants of which their characters were known, and through which they could enter the House of Commons without the anxiety and responsibility attendant on being Representatives of more extended communities. This was the principle on which places barely out of schedule A, and just within the limits of schedule B, were treated. The course that had been taken depended on the application of the different principles mentioned; there was such a variety in the situation of the boroughs as precluded strict uniformity of principle, on the assumption of which, and by comparing and contrasting things perfectly unlike in nature and circumstances, the right hon. Gentleman founded his objections. Some of the right hon. Member's observations carried them back to the old dispute, as to whether certain places should be at the top of schedule A or the bottom of schedule B, but the Reform Bill having now become the law of the land, the House could effect no useful legislative purpose by discussing the question, of what particular boroughs ought to be selected for total or partial disfranchisement; and the same remark applied to the enfranchising clauses. However, the right hon. Gentleman's observations all admitted of easy and obvious answers, and if he abstained from going into them *seriatim*, it was with a view to save the time of the House, rather than through any apprehension of failing to make out a case. To take a few instances, however, of the right hon. Gentleman's comments: the right hon. Gentleman complained that Amersham should be wholly disfranchised, whilst Midhurst, which was less considerable, obtained a place in schedule B. Undoubtedly, if they proceeded by their original rule of population, Amersham was the superior place, but the moment they admitted (in consequence of objections in the Lords) the consideration of payment of assessed taxes, the situation of Midhurst and Amersham became changed, and the former took place of the latter; the amount of assessed taxes in the disfranchised borough being 429*l*., while that of Midhurst was 734*l*.: it was obvious, therefore, that having abandoned the rule of population as an exclusive standard of Representation, and combined with it the payment of assessed taxes, Midhurst must take place of Amersham. If they had been guided by population alone, the right hon. Gentleman might have reason to complain; but following, as they had, the rule proposed by his own friends, and by Members of the House of Lords, there was no ground for the charges he had made. The right hon. Gentleman said, Old Sarum, if it had been treated like some other boroughs, would have fallen within the line of schedule B. Now he was ready to admit, that if the Commissioners had taken a certain range around Old Sarum, or had added to the five houses of Gatton, 295 houses of the value of 10*l*., they would have brought both these places within schedule B, but they would have been sunk in the adjoining districts, and as effectually deprived of sending a Member as they were by the present Bill. The rule was now to take the houses and assessed taxes together, and the consequence was, the adoption of an arithmetical and mathematical scale, which they could no more alter than they could make two and two five. The right hon. Gentleman talked of the propriety of adding to boroughs parishes immediately around them. Suppose Ministers had said, "instead of comparing together existing boroughs, we will take a circle round them, and then compare the contents," would not that mode of proceeding have been loudly and fairly objected to, as unjust to particular boroughs, because it afforded no means of deciding with correctness upon their individual merits? Might not a charge of partiality have been justly urged under such circumstances? Of course it was a consequence of the application of the rule of taking in adjoining districts, that some old decayed, and now disfranchised, boroughs came within the limits of places contained in schedule B; but that circumstance did not lead to or support the right hon. Gentleman's conclusion, that Old Sarum was restored. Ministers had taken places in schedule B which afforded a considerable portion of a constituency, though not all that was required, and they had added to them so as to obtain a sufficiency in that respect. They took 300 as the number of 10*l*. houses required, and, looking at schedule B, they found already in Launceston, 196; Liskeard, 210; Helston, 225; St. Ives, 200; Rye, 284; Arundel, 254: so that the number to be added only made in those instances (and he might have quoted more) one-fourth or one-fifth of the whole number of houses required. However, he frankly admitted that was not the case in every instance; but if the right hon. Gentleman complained of this, the only legitimate consequence of this argument was, that Ministers ought to have carried disfranchisement further, and enlarged schedule A. The right hon. Member complained that they had made large additions to places hitherto of small extent. No doubt they had, but it did not follow that, because a great number of acres, and even a considerable amount of population, were added to a place, there would be a great number of 10*l*. houses to form a constituency. The right hon. Gentleman had mentioned the case of Tamworth, as if peculiar injustice had been done in that instance, and as if the Commissioners had had some particular and unworthy motive for their conduct.

Now look at the mode of proceeding adopted in all cases; the Commissioners were persons of unblemished reputation, of various politics, or of no politics at all, and they had drawn the boundaries without reference to individual interests or party politics. The boundaries having been arranged, the next step was, to refer the consideration of them to the hon. member for Staffordshire, Captain Beaufort, and Lieutenant Drummond, all individuals of the highest character. So that, if the right hon. Gentleman's charge meant anything at all, it was this, that those three gentlemen entered into a base conspiracy to favour particular persons whom the Government wished to favour, and to injure the interests of others whom the Government desired to injure. Was that a charge that could be advanced with any face or appearance of probability? Taking no account of the intentions and wishes of the Government, but admitting that they wished, for party purposes, to form these boroughs according to their own party views, was it likely that they would find these gentlemen ready to act with them, and to share in their culpability? What, however, did the Commissioners say with regard to the borough of Tamworth? They said, "there are many boroughs in which the number of 10*l.* houses is pretty nearly the same as in Tamworth: we have therefore thought it right that a similar mode of treatment should be adopted with respect to them, and this has been the course pursued." The consequence was, that the borough of Tamworth had been treated in precisely the same manner as the borough of Tavistock; and he could go through eighteen or twenty places to which a similar addition had been made, under similar circumstances. Where, then, was the partiality? There was the case of Bridport. The right hon. Gentleman asked, how it had happened that some place had not been added to that borough. The same thing which happened in this case had happened to others. The Commissioners sent up a plan of this borough. When he saw that plan, he said that he thought it would have been proper to have added the space which connected Bridport town with Bridport harbour. He thought, however, in that case, as in most others, that the Commissioners were the best judges; and when they recommended that that place should not be added, he gave up his opinion, and did not oppose their determination. This was a case in which the right hon. Gentleman made a charge of partiality against the Ministers, because they had not added a place which, for his own part, he should have liked to have seen added. With respect to the last observation of the right hon. Gentleman, namely, that several places contained in schedule B (that is, returning one Member each) exceeded in population, and in some instances assessed taxes, places which, under the Bill, would return two Members each, all he had to say was, that the right hon. Gentleman was correct as to his facts, but incorrect as to his reasoning. Ministers never professed any scheme of perfect theoretical uniformity whatever; their only object was, to disfranchise such boroughs as were, in the nature of things, incurable—that is, incapable of furnishing an adequate constituency—and to enfranchise such as furnished a sufficient number of *bona fide* householders, or had the means of an independent constituency in their immediate neighbourhood. In such places, where throwing in the population of the contiguous parish would raise to the rank of an independent and numerous constituency, the ancient boundary was extended; where a sufficient constituency was contained within the precincts, the boundary was not required to be extended. The right hon. Gentleman was correct as to Christchurch, with its additions, which would return but one Member, exceeding Honiton, which returned two, in population; but when the towns of Christchurch and Honiton were compared, the latter would be found more worthy of a full complement of Representation. As to there being any future discontent, as said by the right hon. Gentleman, he expected nothing of the kind, for in fact, the greater part of the places alluded to by the right hon. Gentleman had as large a share of the Representation as they could in justice expect. After making these objections in detail, which the right hon. Gentleman had not substantiated, the right hon. Gentleman wound up his doleful story by an appeal to the melancholy events which had taken place in Paris, and by them he warned us to expect no stability from the present measure. The right hon. Gentleman had made an allusion to what his right hon. friend near him had asserted the other night, as to the present situation of France—and had observed, it was singular enough that his right hon. friend should, at the moment, be speaking of the peace of that country when it was again in a state of disturbance and confusion. The right hon. Gentleman had not accurately represented what his right hon. friend had asserted. His right hon. friend had never alluded to the late French revolution as other than a great calamity; but still he had contended, and all must allow, that it was an inevitable calamity, unless the doctrine was held that there was nothing for a nation except passive obedience, even when a King had overthrown the law by his ordinances, and violated his oath and the charter, as the late king of France had done.

Mr. *C. W. Wynn* asked, which late King?

Lord *John Russell* said, the right hon. Gentleman might rejoice in the prospect of a new revolution, but he did not, and he alluded to Charles 10th. He (Lord John Russell) would here ask, whether any Member could defend the conduct of Charles 10th? Had he not disregarded the charter, and by his ordinance driven the people to resistance? It could not, however, be denied that a change of dynasty caused considerable inconvenience, and often a degree of danger to the people of a country. Before rash conjectures and sneers were indulged in at the expense of the reigning monarch, it should be borne in mind that all new dynasties (that of the houses of Orange, and Brunswick in this country, for example) required time to become invested with those rooted associations attached to ancient monarchies. The question was not whether danger might follow in the train of a successful resistance to a Government which had rendered itself odious to the people, but whether, revolution having taken place, those who had caused such a revolution were justified in the course they had taken. With regard to the question as to the insecurity of Kings in France, spoken of by the right hon. Gentleman, it had no sort of point in relation to the state of things in this country. He (Lord John Russell) should not have made the latter observations, on a subject so foreign to the matter as the Bill now under the consideration of the Committee, had not the right hon. Gentleman introduced the subject in the course of his speech.

Mr. *Croker* said, that the noble Lord had mistaken his argument. He had only alluded to the strange coincidence of the right hon. Gentleman's happening to talk of the tranquillity which prevailed in France at the very moment when blood was flowing in the streets of Paris, more profusely than it had done since the first revolution. But his disapprobation of such revolutions as France had been exhibiting for forty years past, did not, and could not, imply any acquiescence on his part in the antiquated doctrine of passive obedience. If the revolution of July, in France, which had been eulogized by the right hon. Gentleman (Mr. C. Grant), and the noble Lord, received their praise for its bloodless moderation, he could not, he said, go along with them, for out of that revolt arose the present tumults, which were attended with extreme violence and frightful bloodshed. The recent lamentable events, as well as others of the same deplorable kind, which would probably follow, were the natural consequences of the monstrous principles of the July revolution. But he would not again enter into that often debated subject.

The noble Lord imagined that he had complained that the Government had laid down certain rules for the conduct of the Commissioners; but he did not. On the contrary, what he complained of was, that neither the Ministers nor the Commissioners had any clear and certain rule of proceeding—that they did this thing in one place, and that thing in another. For instance, with regard to Exeter and Nottingham, he wished that either rule should be equally applied to both places. The noble Lord said, that the principle which had been acted upon in the case of Exeter had been everywhere else applied. The noble Lord was mistaken. He would give him another instance, in addition to those he had before stated—the case of the town of Derby. The Commissioner reported that there were certain villages within a mile of the town of Derby, flourishing places, with 1,700 inhabitants; but he nevertheless took upon himself to decide that these two places had no claim, from their situation, to be added to the town of Derby. He asked the noble Lord, how he would distinguish these two cases from St. Leonard's and St. Sidwell, in the case of Exeter? These latter places had been added to Exeter, while the two other places, which almost joined the continuous mass of houses of Derby, had, it seemed, no claim to Representation on account of their situation. So much for Exeter and Derby. But there was the case of the town of Birmingham, which certainly had been treated in the most extraordinary manner. The town of Birmingham was extended on one side three or four miles; on the other it was so confined, that who did the House think was excluded from a vote for Birmingham? The House would be rather surprised when he told them, that the father of the arts in Birmingham, the great manufacturer, the man who had done more for the industry and trade of that great town than almost any individual that ever lived—Matthew Bolton, was excluded from a vote for Birmingham, although his house and celebrated manufactories were within a much smaller distance from Birmingham than other places which were taken in. [Sir *John Wrottesley*: Soho is in the county of Stafford.] In the county of Stafford! Would the hon. Gentleman tell him of a single other instance in which the difference of counties had been regarded? Would the hon. Gentleman tell him, even in the case of Birmingham itself, that it had been regarded? Did the hon. Gentleman not know that several boroughs were extended by this Act into different counties? He was sorry to be obliged to tell the hon. Baronet, as he had been obliged to do once or twice before, that he did not understand the subject on which he had thus volunteered his erroneous evidence. The noble Lord, the member for Devonshire, said, that he (Mr. Croker) had made a radical mistake in contrasting the new boroughs with the old. The noble Lord said, that the old borough of Midhurst had 200 or 300 houses above Amersham; that he denied, and he challenged the noble Lord to the proof. It was said, that Midhurst was superior in taxation; but taxation was only taken as a guide when it seemed to serve the particular purpose of the Ministry; while Amersham was greatly superior in point of population, which was the standard by which Ministers professed to be guided in their great operations. It might be true, that the old borough of Midhurst had the advantage in point of taxation, but he repeated, that if the borough of Amersham had been dealt with as Midhurst had been, the new borough of Amersham would have vastly exceeded the proposed borough of Midhurst, in houses and taxation, as well as in population and general importance. There was one phrase which fell from the noble Lord that was heard with great surprise. The noble Lord said, Ministers did not make schedule A more extensive because they were unwilling to carry disfranchisement further than was absolutely necessary. Absolutely necessary! Now, when he recollected what lately happened in another place, and remembered that they were told it was a fair ground for the resignation of Ministers, that the other branch of the Legislature should have been inclined to vote that disfranchisement should not be carried further than was "absolutely necessary," it did appear to him to be one of the most extraordinary things, that this identical phrase should have come so pat to the noble Lord—that he could find no other than this identical phrase, which they had heard repeated, like the words in a catch, in all the debates which occurred in another place, and in all the discussions to which those debates had given rise. This very phrase fell from the lips of the noble Lord, as the natural and spontaneous feelings of his own heart; and he (Mr. Croker) could not but wonder at the consistency which, a fortnight ago, denounced and reprobated the very sentiment which was to-day so confidently adopted. He agreed most heartily with the noble Lord's present and better opinion, that it was not wise or prudent to extend disfranchisement further than was absolutely necessary; but he wished the noble Lord had explained why his Majesty's Government resigned when the House of Lords expressed a precisely similar opinion? The noble Lord said, that he had accused the three superior Commissioners, and suspected their motives. Any one who looked at the Reports would find they were not signed by the superior Commissioners, but that each of them was signed by the individual Commissioner who was sent to the individual place; and he did not mean to arraign any Commissioner for more than his own share of the anomalies which had been committed. The noble Lord said, the Commissioners stated that they had treated Tamworth in the same way as they had treated Tavistock and Horsham; and asked, could they have been guilty of the slightest impropriety if they had done so? and he would answer, certainly not: but the noble Lord was totally erroneous in his premises. The noble Lord chose to forget or to overlook altogether this important fact, upon which the whole question turned, that Tamworth had 325 rated houses, that Tavistock had but 260, and Horsham only 130. The instructions given to the Commissioners were, "If you find 300 10*l.* houses in any borough, you have nothing to do with it." That was the general rule. They were to find 300 10*l.* houses; they were not restricted from going beyond that amount, but they were to find 300 10*l.* houses, and to proceed until they obtained them. It was not necessary, therefore, for the Commissioners to have added one single acre or one single house to Tamworth; and they had added no less than 11,000 acres; but it was necessary to add to Tavistock, which had only 260 houses, and to Horsham, which had only 130. It might be right or wrong to add to Horsham and to Tavistock; but Tamworth having a sufficient number of houses already, it was not right to add to Tamworth. The noble Lord had endeavoured to reply to his observations on Gatton—with what success the House would judge. But to show the absurdity of all the Ministerial proceedings he would only make one additional observation, that if the noble proprietor of that borough had happened to pay his taxes at his house in Gatton, instead of paying them at his house in London, that borough too might have been saved, as well as its two fellows, Old Sarum and "scandalous" Midhurst. If such a result had taken place, the noble Lord would have said, "This is a case which I may regret, but which must be determined by the general rule." But what, then, was that rule good for, which, if properly applied, would create a system of Representation, which, in effect, preserved Old Sarum and Midhurst, and ought to have preserved Gatton?—The Reformed Parliament would probably answer that question!

Mr. *Littleton* wished to say a few words on the present occasion, as to the instructions given the Commissioners, there being an erroneous impression abroad upon the subject. The arrangements were not, as most persons, in and out of doors, imagined, entirely in the hands of the Commissioners, who, under the present Bill (not so under that of last Session), were but so many agents collecting information for Ministers. It was perfectly true, that the original instructions were, as had been stated, when 300 10*l.* rated houses were found in a place not to extend the boundary, but, since the introduction of the present Bill, those instructions had undergone modification. He was one of the three before whom those matters had come, and he must say, that the Commissioners acted more on the spirit than the letter of their instructions, and were in many instances—Tamworth, for example—determined by a variety of circumstances, other than the mere arithmetical standard of 300 voters. In some places it appeared to them that twenty or thirty under that number would be no practical disadvantage; in others, that twenty or thirty above it constituted no practical disadvantage; and they exercised a discretion accordingly. With regard to the borough of Tamworth, he knew there was a discrepancy between the statement of the Commissioners, who had made their inquiries upon the spot, and the information transmitted to Government by the Town Clerk and the Vestry Clerk. The principle upon which the borough had been treated he had no hesitation in declaring to be the one acted upon in other cases. It was singular enough that this was the only case in which a discrepancy appeared between the Reports made. It was true, that by the Returns to which the right hon. Gentleman had referred, the town of Stafford contained but 250 householders, voters, but the Bill would increase that number to 410, independently of the freemen of the borough. With such a constituency, therefore, it would be needless to extend the boundary; not so Tamworth, with 325 voters. When the Committee reached Exeter in the Bill, he should be ready to defend the course pursued as respected that city. This he would here say, that no parallel existed as to the cases of Exeter and Derby. Then, with regard to Birmingham, there was nothing in the objection of the right hon. Gentleman. The situation of the premises of Messrs. Bolton and Watt was such that it could not be conveniently included in the boundary. In the whole of the six volumes now on the Table he did not, on his honour, believe that the Commissioners, in their lines of boundary, went one yard, either to the right or to the left, with a view of serving any particular interest.

Mr. *Croker* must still insist that Tamworth had been differently treated to Tavistock and Horsham.

Mr. *John Campbell* said, that under

the Bill, Stafford would contain at least 700 *bona fide* voters, and it was impossible that any just objection could be made with respect to the conduct of the Commissioners in regard to that place.

Sir *Charles Wetherell* said, he should select one or two cases for his remarks. The hon. member for Stafford considered the limits of Stafford sacred, but why were the limits of Tamworth to be violated? The case of Tamworth was a gross one. He would not offend the fastidious ears of Ministers and their satellites by applying the term "partiality" to the proceedings of the Boundary Commissioners, but he would beg the Gentlemen who objected to the milk and water term of "partiality" to review their own vocabulary, such as "boroughmongers," and other terms equally in demand among the epicures of Reform? He would not use the word partiality, but he would charge the Commissioners with ignorance in setting out these boundaries, and say, that either through ignorance or design, they had departed from their own principles. In making new boroughs they travelled out of the ancient limits; but in the demolition of franchises they took the narrowest limits. If they had done for the boroughs in schedule B as much as they had done for the places in the schedules C and D, every borough in the former would continue to return two Representatives, and not half of those in schedule A would deserve disfranchisement. And why had they capriciously and partially departed from the principles which they professed to act upon? Simply to give the Radical party a dirty victory over the ancient and constitutional principle of prescription. It was to keep pace with the programme of a new Constitution promulgated by M. Lafitte in France. This it was, that led to the various anomalies and partialities of the present Bill and its predecessor in innovation; and this it was, that made Ministers resign on a paltry question of alphabetical precedence. His right hon. friend (Mr. Croker) had demonstrated their injustice towards Tamworth and other places from motives that were obvious—the same motives that made them swamp the electors of the city of Oxford, by annexing to it the adjacent and populous parishes of St. Giles and St. Clement. Oxford contained ten or eleven parishes, and he wished to know upon what principle these parishes out of the city had been added, for they paid nothing towards the assessments for the city. He thought such an addition to a constituency of several thousands was both wanton and capricious. It was said, that the present measure would be a final one, but how was that possible when the system which it established was to the full as anomalous as that which it was to supersede? The House was told that additions were made to the different boroughs, on the principle of contiguity; but in the case of Arundel the Commissioners had taken a carrier-pigeon or wild-duck flight over five or six parishes in order to take in Little Hampton. It happened, that the interest of the Duke of Norfolk was very predominant at Little Hampton. He would not be deterred by any consideration from using a fair parliamentary argument, and saying, that it was partiality to the Duke of Norfolk's interest which had included Little Hampton in the boundary of Arundel, and excluded other parishes more contiguous. He would hereafter comment upon other cases as they came before the Committee. For the present he would content himself with making a few observations on what had fallen from the noble Lord on the subject of the French Revolution. [" *Oh*"] Those hon. Members who did not like any allusion to that subject might have given a little hint to the noble Paymaster of the Forces who introduced it. When a topic was introduced by one Member as the foundation of an argument, it was usual to allow another Member to reply to it. The French Revolution was an arrow taken out of the quiver of the Reformers; it was not shot from his side of the House. He alluded to the subject only for the purpose of stating that a new Representative system had been tried in France three times—first, by the Charter of 1792; secondly, by the Charter of Louis 18th; and thirdly, by the Charter of the present king, if king he now were, or king he deserved to be called: on each occasion the experiment had failed. Events were now going on which pretty plainly portended that a new representative system would be tried in France for the fourth time, and he had no doubt with no greater success than had attended the previous trials. Gentlemen need not be alarmed; he was not about to enter into the history of the existing French Revolution, or that of the last, but would confine himself to the fact that attempts had been made in France to frame a representative system which would satisfy the people, and all had failed. That was one of the reasons which had induced him to oppose the Reform Bill, because, when the system of prescription was abandoned, there was established in its stead a system as anomalous and discrepant as that which it supplanted.

Lord *Althorp* said, that the hon. and learned Member seemed to be surprised that any one should object to the use of the word partiality. The hon. and learned Member contended that it was perfectly parliamentary to use the word. That was a position which he was not disposed to dispute; but he thought that, in such a case as the present, it would be better not to employ the word, because here it meant very little less than dishonesty. He thought that the hon. and learned Member would not himself feel particularly gratified at being told that he had been guilty of dishonesty. The hon. and learned Member said, that if Ministers had added to the boroughs which were wholly or partially disfranchised by the Reform Bill, as they had added to the boroughs enumerated in the Boundary Bill, the whole of the places in schedule B would have been preserved, together with about twenty of those in schedule A. He would go further than the hon. and learned Gentleman, and say, that if that course had been adopted, the whole of the boroughs in schedule A would have been saved. But would not Ministers have more than ever been exposed to the charge of partiality, if they had attempted to bring boroughs within the line by adding to their boundaries? They were obliged to take a fixed boundary with a view to disfranchisement, and, the task of disfranchisement having been completed, it only remained to give a proper constituency to the places which were to remain, or be enfranchised. In order to effect this object, it was necessary to make additions to their boundaries. It appeared to him impossible that they could have acted in any other way than they had done. The hon. and learned Member had alluded to the French Revolution; but he (Lord Althorp) could not see the relevancy of the French Revolution to a Bill to determine the boundaries of boroughs. It was not extraordinary that an expression of surprise should have escaped from some hon. Members when that subject was introduced. The hon. and learned Member said, that two whole parishes were added to the city of Oxford; but, as far as he (Lord Althorp) could see, from the Report of the Commissioners, and the Plan upon the Table, only the parish of St. Clement was added to Oxford, and that was done on the principle of continuity. In this case he thought the hon. and learned Gentleman had gone even beyond his usual strong mode of stating his own views, when he said, that the constituency of Oxford, consisting of upwards of 2,000, would be swamped by the addition of 180 voters. It was rather surprising that those who had always professed themselves friendly to the landed interest should object to the addition of agricultural districts to boroughs, by which the influence of that interest must be augmented. As an objection, however, was made to the monstrous size of some of the boroughs created by the Bill, he might be excused for referring to the extent of some of the boroughs which existed before the Bill was introduced. Colchester, for example, contained upwards of 11,000 acres; Thetford, 6,977 acres; and Wenlock, 47,000 acres. Thus it appeared that it was not a novelty in the constitution of boroughs that they should extend over a great number of acres. The hon. and learned Gentleman had accused the Commissioners of having skipped over several parishes in order to get at Little Hampton. That was not the case. All the intermediate parishes were included in that district. He would not enter further into detail. All he could say was, that if it should appear to the House that additions had been improperly made in some cases, or omitted in others, Ministers would be ready to make any alterations which were necessary. They had no interest in the matter, one way or the other. He was certain that if hon. Gentlemen looked at the manner in which the additions were made, they would be satisfied that no advantage was given to any political party. He might here be allowed to mention, that in the comparison which the right hon. member for Aldeburgh had made, of ten boroughs which returned one Member each, and the ten which returned two each, it so happened that the disadvantage was on the side of the party with which he (Lord Althorp) was politically connected. The result of a dispassionate inquiry would prove that the Commissioners had in no instance been swayed by a political bias. He would not say that mistakes might not be proved against them, but he would assert that no partiality, either political or personal, could be.

First Clause agreed to.

On the Clause relating to Gloucestershire,

Lord *Granville Somerset* recommended that Thornbury should be substituted as the place of nomination, instead of Wotton-under-Edge.

Lord *John Russell* assented, and Thornbury was accordingly substituted.

On the Clause respecting Lancashire,

Lord *John Russell* moved an Amendment, to alter the place of election for the southern division from Wigan to Newton.

Mr. *Thicknesse* said, that Wigan was better than Newton which was a mere village.

Lord *Stanley* supported the proposed change.

The Committee divided on the Amendment:—Ayes 54; Noes 5—Majority 49.

Clause agreed to, as were the Clauses to Worcester.

House resumed—Committee to sit again.

HOUSE OF LORDS,

Friday, June 8, 1832.

MINUTES.] Bills. Read a first time:—To avoid Vacating Seats in Parliament on the Acceptance of certain Offices.—Read a second time:—Army Prize Money; Regent's Park Acts Amendment.—Read a third time:—Militia Ballots Suspension; Crown Lands (Ireland); Clerk of the Crown, King's Bench (Ireland.)

Petitions presented. By the Duke of GRAFTON, from Thetford, and other parts of the County of Norfolk, against the Norfolk Assizes Bill.—By the Bishop of LICHFIELD, from Osmaston and Edlaston, for the Suppression of the Political Unions, and against Reform.—By the Archbishop of YORK, from York, against Slavery.—By the Bishop of ROCHESTER, from Rochester and Addington;—by the Earl of RODEN, from five Places in Ireland, from three Orange Lodges, and from the Bishop and Diocess of Killala;—and by Lord CARBERY, from Kilmeen,—against the Ministerial Plan of Education (Ireland); and by the Earl of CAMPERDOWN, from Kinghorn, in favour of that Plan.

SENTENCE OF DEATH (BILL).] On the Order of the Day being read for the House going into Committee on the Sentence of Death Bill,

Lord *Tenterden* said, that the object of this Bill was, to alter the mode of passing sentence in capital cases, by the Judges, at the Old Bailey. There was an important distinction prevailing between the practice of the Judges on Circuit, and at the Old Bailey, in cases of this description; for in the former they were allowed to record the sentence of death, but at the latter they were compelled to pass it, leaving it to the prerogative of the Crown to select the proper objects for mercy. The object of this Bill was, to assimilate the practice, but on inquiry it was found, if it was passed in its present shape, none of the names of the persons convicted at the Old Bailey would be sent up to the King, and the Crown would be abridged of that part of its prerogative. He had spoken to several authorities on the subject, who were all of opinion, that the cases of convicts should continue to be reported to his Majesty, and at their suggestion he proposed to introduce an amendment, by which it was provided, that the cases of persons convicted capitally should be laid before the King, prior to the sentences being pronounced. This would do away with the objection respecting the rights of the Crown, and at the same time assimilate the practice of the Judges on Circuit and at the Old Bailey.

The Duke of *Wellington* said, that the Amendment, as it now stood, compelled his Majesty to approve of sentences of death to be passed on certain individuals. Now, in his opinion, there was a great difference between the King's power of remitting the sentence of death, and his Majesty approving of a sentence previous to its being passed. He thought that care should be taken not to place the Crown in so objectionable a position; and that the Bill and Amendment should be printed, and time be given for inquiry and consideration before it was further advanced.

Lord *Tenterden* said, it was his wish that due time should be allowed for the consideration of the clause he introduced.

Bill committed, and, as amended, ordered to be printed.

TITHES (IRELAND).] Lord *Carbery* begged leave to inquire from some of his Majesty's Ministers, whether it was likely that the Second Report of the Tithe Committee would soon be presented. They were advancing to a late period of the Session, and, unless the Legislature interfered, he did not believe that any one clergyman in the South of Ireland would be able to get his tithes, or any payment for them.

The Marquess of *Lansdown* agreed in the propriety of getting this difficult and delicate question settled, and he had much pleasure in stating to the noble Lord, that the Committee had advanced materially in their labours, and that they had already brought the evidence to a close. He had also the pleasure to state, that the heads of a Report were in the hands of the members of the Committee, and he had no doubt but that in a short period the Report itself would be drawn up and presented. For the satisfaction of the noble Lord, he had also no hesitation in saying, that the Committee of the other House was equally far advanced; and, as any bill on the subject must be introduced in that House, he thought the noble Lord might expect to see a measure introduced, without delay, founded on the proceedings of the Committee.

Lord *Carbery* said, he should not have pressed the question but from the state of the country, which was worse than their Lordships could imagine. It was but the other day that a mob of many thousand persons went into the city of Cork, the second city in Ireland, to prevent the sale of cattle taken in a distress for tithe. He had accounts of mobs assembled in other places, where the Roman Catholic clergymen attended; and he had a letter that day from a gentleman, informing him that 20,000 persons met in another part of the country, determined to prevent even the attempt at a sale.

COURT OF EXCHEQUER (SCOTLAND) BILL.] On the Motion that the House resolve itself into Committee on this Bill,

The Duke of *Buccleuch* said, he was as anxious as any man to give the country the benefit of a cheap administration of justice, but he doubted whether the best way of attaining this object was to abolish the ancient judicial institutions of Scotland. He required, therefore, further evidence before he could consent to the present Bill. The evidence before the House related only to certain parts of the duty of the Court of Exchequer, while upon other parts they were left wholly in the dark. It was incumbent on their Lordships to inquire, whether the objects which the Bill had in view could not be obtained in some less objectionable manner than was proposed by the Bill. He had been taken by surprise on the second reading of the Bill, and he believed other noble Lords were in the same situation. He should, therefore, on the present occasion abstain from entering into the details of the measure, for he felt it impossible that their Lordships should proceed without further evidence. He should move that the Committee be postponed, and, in case he succeeded in that motion, he should then move that a message be sent to the other House of Parliament, requesting a copy of the evidence taken before the Select Committee of that House.

The *Lord Chancellor* had no objection to the production of the fullest evidence, and only regretted, that the noble Duke did not express his wish for it sooner. The communication of the evidence taken before the Committee of the Commons, if desired, was quite a matter of course. He begged to remind their Lordships, that this was the same Bill which they had themselves sent to the House of Commons in the last Session of Parliament, and which had been lost by the dissolution. He was convinced that the more the evidence was examined, the more satisfied would their Lordships be, that the Court of Exchequer ought to be dealt with in the manner proposed by the Bill. The evidence was clear upon the subject, and it proceeded from various quarters; from the late Chief Baron, the present Chief Baron, and a most intelligent and respectable officer of the Court. From this evidence it appeared, that upon the average of the last twenty years, the number of defended causes was six in the year, and of arguments, four and a half. The average of undefended causes, during the same period, was twenty-four annually. But this was not all; the business was much less at the latter part of this period than at the commencement, and presented a progressive and regular decline. Allusion had been made to the Treasury business of the Court. He maintained that this was business not fit for a Court of Justice to discharge. But altogether the entire business of the Court, ministerial and judicial, might be done in fifteen days of the year, at the rate of six hours' work a day. He was sure that the whole business of the Court as a Court of Justice, would be disposed of by his noble and learned friend near him in a few hours. The evidence plainly showed this. The object of the Bill was, to transfer the business hitherto done by the Court of Exchequer to one of the Judges of another Court.

Lord *Tenterden*: As my noble and learned friend has referred to me, I hav only to say, that for the last twenty years the Chief Baron and the other Barons of the Scotch Court of Exchequer have been in a most enviable situation.

The Earl of *Haddington* thought it would be better that the establishment of the Court of Exchequer should be diminished than that it should be put an end to altogether. It was a false economy to put an end to it altogether, and perhaps more business might be added to it.

The Earl of *Camperdown* said, the present Chief Baron had given a decided opinion, that the business might easily be done by a Judge of the Court of Session. His predecessor (Sir Samuel Shepherd) had not spoken so decidedly, but there was every reason to believe, that the present Lord Chief Baron was right. It was a common saying in Scotland, that the Exchequer Court was useless. But, at the same time, it was fitting that they should have the Report of the Commons, and there they would find some valuable facts as to the collection of the revenue, and it might be of use in that way.

The *Lord Chancellor* had not rested this Bill solely on the ground of saving to the public, although that was important, but principally on the ground that this Court was an anomaly in our judicial system—a sinecure Court of Justice.

The Duke of *Wellington* observed, that having been a party in the preceding year to the change in the constitution of the Court of Exchequer of Scotland, he had felt great difficulty, when this measure was before the House last Session, in deciding upon the abolition of that Court. He agreed that at present this Court was, to a great degree, unemployed; but the question was, whether additional duties might not be thrown upon it with advantage. There was great anxiety in Scotland that the ancient judicatures should be maintained, and, as the Courts had been reformed only the year before last, he should have preferred it, had no further change been made so soon. He should read the evidence attentively, with a view to see whether there was any possibility of making the Court efficient.

The Earl of *Roseberry* expressed the highest opinion of, and regard for, Sir Samuel Shepherd, but thought that on this subject the opinion of the present Chief Baron was entitled to more weight. There was not sufficient business to employ the Court, and it was unnecessary to preserve it. As to the Act of Union, that had been repeatedly trenched upon, where it appeared to be for the advantage of Scotland and the whole empire that it should be so. The Scotch Privy Council, for instance, had been abolished very soon after the Union, and afterwards the heritable jurisdictions were abolished, although in some measure private property.

The *Lord Chancellor* was sure, that there was no additional business which could be added to the Scotch Court of Exchequer. Even during the Administration of the noble Duke (the Duke of Wellington), two Judges had been taken from the Court of Session; and yet additional business had been imposed on the Court—such as that of the Commissary, Admiralty, and Jury Courts.

The Earl of *Haddington* said, that the Lords Ordinary complained that too much business had been thrown upon them.

Committee postponed, and a Message sent to the Commons, to communicate to their Lordships the evidence taken before the Committee.

HOUSE OF COMMONS,

Friday, June 8, 1832.

MINUTES.] Papers ordered. On the Motion of Mr. MAURICE O'CONNELL, an Account of the Sums paid to each Newspaper in Ireland respectively, for the insertion of Government Proclamations, for the period commencing from the date of the last Return thereupon laid before this House; and distinguishing the Amount for each Quarter.

Bills. Read a second time:—Boundaries (Scotland).—Committed:—Limitation of Actions; and Courtesy of England.

Petitions presented. By Lord KILLEEN, from five Places in Ireland, for the Abolition of Tithes; for a Repeal of the Vestries Act; and from Navan and Bective, in favour of the Reform of Parliament (Ireland) Bill.—By Mr. HUGHES HUGHES, from Clapham, Battersea, Wandsworth, and Streatham, against the Labourers in Agriculture Bill.—By Captain WILLIAM GORDON, from Aberdeen; and by Mr. HOPE JOHNSTONE, from the Presbyteries of Annan and Linlithgow,—against the Ministerial Plan of Education (Ireland).

MINISTERIAL PLAN OF EDUCATION. (IRELAND).] Mr. *Hope Johnstone* presented a Petition from the General Assembly of the Church of Scotland, in Council assembled, in favour of the plan of Education in Ireland. They were most anxious that the blessings of education should be extended to all classes in that country, and they hoped the proposed plan would have this effect. They trusted, however, that in any plan which might be adopted the Bible would be left perfectly open to the perusal of Protestant children. He felt it his duty to support this petition, though he was aware that the importance and weight of such a body, distinguished by as much talent and as high character as any body of men in the whole world, was, in itself, sufficient to procure for this petition the attention of the House.

Sir *George Warrender* said, this petition was entitled to great attention, not only on account of the importance of the body from which it proceeded, but from the tone of conciliation and temperance of language in which it was drawn up. The same body petitioned the House in favour of Catholic Emancipation.

Mr. *Cutlar Fergusson* supported the petition: the body from which it proceeded was certainly most enlightened, and most deserving consideration. He coincided with them in wishing the Bible to be used in the schools entire, at certain times, but it was obvious that the Catholics would not make use of the Bible in that form. He wished for a scheme of education which would unite both classes, and therefore, should object to the use of the Bible at all times, as that would exclude the Catholics from the school.

Mr. *James E. Gordon* had to apologise for the frequency with which a sense of duty had compelled him to intrude himself upon the attention of the House, on the momentous question of Irish education, but he felt it impossible to remain silent upon the present occasion. The petition at that moment under consideration was, he had no hesitation in saying, the most important which had been laid upon the Table of that House during the Session. It was, in fact, the recorded sentiment of the Church of Scotland upon the great question of Irish education. His Majesty's Government, and their scheme of education, were unquestionably entitled to the full benefit of any countenance or support which was fairly deducible from a candid construction of the language and sentiments of the petition which had just been presented; but, while he made that admission, he felt himself called upon to direct the particular attention of the House to the very peculiar circumstances which led to its adoption. He held in his hand a paper, containing what he understood to be a correct report of the proceedings of the General Assembly, from which it appeared that the Solicitor General for Scotland had acquainted the Assembly with the fact of his having received a letter from the right hon. the Secretary for Ireland, in which he (the Solicitor General), as well as several others equally entitled to the confidence of Government, had been assured by that right hon. Gentleman, that a scriptural class would be established in each school, upon which the attendance of Protestants should be compulsory, while Roman Catholics were permitted to exercise their discretion upon the subject. Now, without presuming to represent the views or feelings of the General Assembly in that House, he had no hesitation in saying, and he said it upon the authority of Members of the Assembly, that they understood by the communication made to them by the Solicitor General, that a *bona fide* scriptural class was intended to be introduced into the body of the daily course. Did this he would ask, accord with the explanation which had been given by the right hon. the Secretary for Ireland, in answer to the question which he (Mr. Gordon) had put to that right hon. Gentleman a few nights ago? Had not the right hon. Secretary declared, that not only had no change taken place in the system, but that no change was contemplated? Had he not stated that the scriptural class was perfectly independent of, and apart from, the daily course? Was it not in the recollection of the House, that the proposed arrangement for such a class was, that it should be optional with the parties concerned, as far as related to its establishment, and that, in cases where it might be found necessary to establish such a class, it should commence half an hour before or after the regular daily course? Such a declaration was one which he (Mr. Gordon) could not reconcile with any rational construction of the communication made by the Solicitor General to the meeting of Assembly; but he had better authority than his own opinion upon this point. A most respectable Member of the Assembly, who happened to be under the gallery when the right hon. the Secretary for Ireland made his explanation, was perfectly astonished at the discovery which that explanation made of the manner in which he and others had been deceived upon the subject. So strong, indeed, was the impression produced upon that Gentleman's mind, that he had, no further back than yesterday, declared upon a public platform, that the two statements were, in his judgment, utterly irreconcileable with each other. Nay, more, he had stated his determination to use every effort to endeavour to set his reverend brethren right upon a subject on which they had been so painfully led astray.

The hon. member for Dumfries-shire had stated for the petitioners, that they were anxious to see the blessings of education extended to the people of Ireland, and in that anxiety he (Mr. Gordon) fully participated with them; but he wholly dissented from the opinion of the hon. Member that the petitioners were ready to concur with his Majesty's Government in the promotion of their present scheme. Most of the Members of the General Assembly had already petitioned strongly against that system, and the more they understood of its principle and effects, the greater, he was convinced, would be their opposition to its establishment. The hon. Member had expressed a hope that the Government would persevere in their intention to carry this system into effect. They might do so, but he was sure that the opponents of that system would persevere also; and, what was most encouraging in the consideration was, the persuasion in his mind that they would persevere with success. Nay, he did not believe, that it would be in the power of any Government which ever occupied the opposite benches to carry such a system into execution against the principles and feelings of the class which was opposed to it. The hon. member for Kirkcudbright had expressed his anxiety that a system of united instruction should prevail in Ireland, which would afford to both classes the benefits of a well-ordered education, and in that anxiety he (Mr. Gordon) also participated. Such a system, however, was not to be identified with that of his Majesty's Ministers. On the contrary, their system, to the extent that it had been brought into operation, had broken in upon and interrupted the harmony of a system where Roman Catholics and Protestants were unitedly engaged in learning the initiary lesson which taught the great doctrine of one Lord, one Faith, one Baptism, one God and Father of all; and, where all was unity and unanimity before, all was discord and confusion now. This was an assertion which he did not risk upon insufficient grounds. It was not the opinion of a hot-headed zealot, anxious to propagate and to maintain his own opinions. It was the result of evidence from which there could be no appeal. It rested upon the showing of official data in the possession of every hon. Member of that House. It rested upon the letters and figures of the Return of Applications made to the Board in Dublin, for which he had moved a short time since; and when the proper time arrived, he should hold himself pledged to prove to the House and to the country, that the Government plan of education, to the extent that it had gained a footing in Ireland, was the most exclusive, the most purely Roman Catholic, the most party-spirited which the history of Irish education had ever presented.

Sir *John Newport* rose principally for the purpose of commenting on the speech of the hon. Member who had just addressed the House who, by turns, assumed to himself the office of interpreter both for the people and the Churches of Ireland and Scotland. He now assumed to be the authority upon whose *dictum* the House was to be led in reference to what was the opinion of the General Assembly of the Church of Scotland, and that, too, in opposition to the petition from that body which had just been presented to the notice of the House. The hon. Member had pledged himself to prove a great many things, and, amongst others, that the plan of education proposed by his Majesty's Government was purely exclusive, and Roman Catholic. He had already done everything to exasperate the feelings of the people of Ireland; and not only this, but to endanger the tranquillity of the country. He (Sir John Newport) deprecated that hon. Gentleman's assuming to himself the representation of the opinion of the people of Ireland, seeing that his knowledge of that country had been acquired chiefly by his missionary labours: and also the attempt to draw into collision the Churches of Ireland and Scotland. Respecting what the hon. Member stated, as to the opinion of the Church of Scotland, he (Sir John Newport) would only say, that, in contradiction to his assertion, the House had the petition of the General Assembly, which had been just presented by the hon. Member opposite, accompanied with observations which evinced the true spirit of concord and charity on his part; while the hon. Member who had just sat down, had done everything to disseminate the spirit of discord and mischief. He (Sir John Newport) was old enough to remember a Gentleman of the same name as the hon. member for Dundalk, who rendered himself most conspicuous by pursuing a line of conduct of the same nature, by which he nearly brought ruin upon this country. He hoped the hon. Member would not be allowed to bring matters to a similar crisis. He begged pardon of the House for having trespassed thus long on their patience, but he implored them to look at the question in a fair point of view and not to excite the angry feelings of the people.

Mr. *Robert A. Dundas* thought the right hon. Baronet had made a very unworthy attack on his hon. friend. Every Member of that House had a right to speak his mind upon this or any other subject. He believed the tenor of this petition was misunderstood. What the General Assembly wished to see introduced in Ireland was, a plan of education similar to that of Scotland, where Protestants and Catholics were educated together in the schools of the General Assembly, the schools being under the direction of the clergy of the Church of Scotland.

Mr. *James Grattan* denied, that the Protestants of Ireland were to be deprived under this system, of the use of their Bible. Nothing of the kind was ever intended or proposed. Even under the Kildare-street plan the Bible was not used in schools: the only part of the Scriptures introduced was the New Testament. This was the case in four schools that had been under his (Mr. Grattan's) direction; and the member for Dundalk knew it as well as he did.

Sir *George Murray* said, he should not enter into any discussion of the merits of the Kildare-street Society. This petition had his entire approbation. It was conceived and expressed in a tone of moderation, at the same time that it supported the great principle of Protestant education. He should be the last man to entertain feelings of hostility towards any person on account of his opinions, but he thought one great defect in this plan was the separation of moral and literary, from Scriptural education. He fully concurred in the sentiments expressed by the right hon. Baronet (Sir John Newport.)

Mr. *Andrew Johnstone* thought the language used by the hon. Gentleman opposite was too strong, for he had, in effect, charged the Solicitor General for Scotland with having practised a deception upon the General Assembly. But, notwithstanding this assertion, it would be observed, that what had fallen from the Solicitor General was corroborated by the speech made the other night by the right hon. Secretary for Ireland; at least, the statement of the learned Gentleman was explained by what occurred in that House afterwards. He submitted that it was better to postpone all further discussions on this subject until it was brought forward regularly for consideration in voting the Estimates. In the mean time the hon. member for Dundalk might communicate with the General Assembly, and ascertain exactly what was the opinion of that body.

Petition to be printed.

DUCHY OF CORNWALL.] Colonel *Evans* wished to ask the noble Lord a question relative to the Leases that were granted by the Duchy of Cornwall. He knew of a gentleman whose family had held certain lands under the Duchy for more than 200 years; and now, quite unexpectedly, the Commissioners of the Duchy refused to renew his lease on the usual terms, but had demanded fines to the amount of 70,000*l.*, to which he must submit, or enter into a most tedious and expensive lawsuit. He (Colonel Evans) therefore, would be glad to know if the noble Lord could give him any information on the subject: and he also wished to ask, whether, in the event of this 70,000*l.* being received, it was to be placed to the account of the Duchy of Cornwall, or accrue to the public, in the shape of a set off against the Civil List.

Lord *Althorp:* I must decline answering the question of the gallant Officer, the estates of the Duchy of Cornwall being the private property of the Crown, they not having been surrendered to the public with the other hereditary revenues of the Monarch. Under these circumstances, I think that the House has no more power to inquire into the management of the Duchy of Cornwall, than into that of the estate of any private gentleman. At the same time, I may be allowed to observe, that I have heard something about the case to which the gallant Officer has alluded, though it would be contrary to my duty to enter into any discussion of it. This, however, I must say, that in my judgment nothing has been done which a private individual would not be justified in doing.

Mr. *Briscoe* said, that there certainly was an impression abroad, that the property of the Duchy of Cornwall belonged to the public. Many constituents of his were deeply interested in the question; and some of their cases, if examined, would prove to be cases of great hardship; as they had all moral justice, if not all legal equity, on their side. They had, however, taken steps for laying their cases before the Commissioners of the Duchy of Cornwall; and he hoped that they would meet with that attention which would prevent the necessity of any application to Parliament on their behalf.

DIVISION OF COUNTIES AND BOUNDARIES BILL.] The House went into Committee on this Bill. Clauses A, B, C, D, E, and F, and Schedules L, M, N, and O were agreed to, with some verbal Amendments.

On the Question concerning the Borough of Arundel,

Lord *Dudley Stuart* rose to object to the arrangement which the Commissioners had made with respect to Arundel. It was firmly believed in that borough, and also in the county of Sussex generally, that the whole arrangement had been made for the purpose of placing the borough under the dictation of the Duke of Norfolk. Although he knew nothing of that noble individual beyond his general character, and could not boast the honour of more than the slightest possible acquaintance with him, yet he could not believe that he would have employed any intrigues to obtain one arrangement under this Bill rather than another, with a view to his own political interests; nor, on the other hand, could he suppose that, had such an attempt been made, it would have been suffered by Ministers to influence them in the slightest degree. But though he distinctly disclaimed all participation in this belief, the Committee would not be surprised that such an impression should be made, when he stated the facts that had given rise to it. The Commissioners, instead of adopting the obvious course of taking in the parishes immediately adjoining Arundel, only took in one of the parishes next to the borough, and then went on and took part of the parish beyond that. In this parish the town of Little Hampton was situated. The part of the parish left out did not belong to the Duke of Norfolk, it lay on the opposite side of the river from the bulk of the parish, which was, he supposed, the reason for leaving it out. It only comprehended about 120 acres, and there was only one house upon it, but there might be more houses upon it; and when Tamworth, which had 325 10*l.* houses, only occupied eighty-three acres, it could not be contended that it was an insignificant portion of land. He objected to the union of Little Hampton to Arundel, on the ground that, so far from being united in interest, the greatest rivalry and jealousy prevailed between them: they had natural causes of rivalry, which had hitherto always produced, and were such as to perpetuate ill-will and jealousy; and whatever of advantage accrued to the one was sure to be felt as a detriment to the other. The only reason that he had heard given for joining them was, that Little Hampton was the port of Arundel; that was a mistake, they were two separate ports. The vessels belonging to Arundel sailed up to the town of Arundel, and discharged their cargoes at the wharfs there. Little Hampton was a harbour of the port of Arundel, but that was no reason for uniting it to Arundel for the purpose of electing a Member to Parliament. If it were, Brixham ought to be joined to Dartmouth, from which it was not further than Little Hampton from Arundel. The port of Bridport, which was referred to last night, would, in like manner, be joined to the town of that name, as they were only one mile asunder; while between Little Hampton and Arundel the distance was four miles. The inhabitants of Arundel were extremely averse to the annexation of Little Hampton, and those of Little Hampton were no less reluctant to be so joined. In fact, the interests of Little Hampton were sure to be better looked after if left in the hands of the county Members, in the election of whom it had great weight. Ministers had recognized the principle, that towns entertaining feelings of rivalship and dislike towards each other ought not to be united; upon their authority, therefore, he contended, that Arundel should not have Little Hampton added to it. He contended, too, that it ought to be left without any addition, for it contained 320 10*l.* tenements; the Commissioners reported only 254: but a very careful investigation had been made by a number of most respectable persons, inhabitants of the borough, and they were ready to prove, that there were 320. He called upon his Majesty's Ministers to afford them an opportunity of proving that; let them appoint persons to investigate the matter—let them hear evidence at the bar of this House—let them grant a Select Committee to inquire into the facts—let them, at least, some way or other, give to the inhabitants of Arundel the opportunity of proving the truth of their assertions. Supposing that Arundel had only 254 10*l.* tenements, still no addition ought to be made to it. So far from its being insisted on, in all cases, that every borough should have a constituency of 300 10*l.* houses, there were no less than nine left with a number inferior to that. Maldon (with two Members) had only 260; Marlborough (with two Members), 299; Wilton, 299; Petersfield, 298; Rye, 294; Northallerton, 294; Reigate, 276; Thetford (with two Members), 203; Wareham, 168. It had not been thought necessary to make such additions to these boroughs as should raise the number of their 10*l.* tenements to 300; and to Thetford no addition whatever had been made, although its qualifying tenements amount only to 203. Why, then, if Thetford was thought worthy to send two Members to Parliament, with a constituency of 203, and Wareham to send one, with only 168, why must Arundel have 300, in order to return one Member? Arundel possessed now a constituency of 463, and it was probable that, long before any considerable number of the scot-and-lot voters should have dropped off, the number of 10*l.* voters would have increased. The place was flourishing; it had a considerable trade; it possessed a cattle and a corn market; it was a sea-port, situated on the most important river between the Thames and the Tamur; its population and its houses were increasing—and, if compared in these particulars with the boroughs allowed to remain, with a constituency less than 300, the comparison would be found highly favourable to Arundel. Taking all these considerations into account, and seeing that Arundel possessed now, and was likely always to have, a constituency considerably more than 300, it appeared to him that it ought to be suffered to retain its present limits without alteration. He called, therefore, upon Ministers to abandon their proposed plan, a plan likely to be beneficial to no one—not to Arundel, not to Little Hampton, not to the county, which it would deprive of many votes—not to the noble individual possessing property in the neighbourhood, since, however unmerited, it threw obloquy upon him—not to Ministers, since it was calculated to affect them in a similar way, and even to throw discredit on the Reform Bill itself. Feeling the impropriety and injustice of the plan, he would move that all the words after Arundel be left out.

Lord *John Russell* said, that the gentlemen who went to Arundel were as competent to decide upon questions of this kind as any persons in the kingdom; but it was natural enough that persons interested should complain of their recommendation to add Little Hampton to the borough, and should even cast imputation upon their motives. The noble Lord, indeed, had done himself the credit of disavowing his belief of any such imputations being well founded. The boundary having been proposed by the Commissioners, it went through the same sort of examination which all the boundaries had undergone. It did not appear that there was anything unreasonable or unfair in making these boundaries, but, since the noble Lord and the inhabitants of Arundel had remonstrated upon the subject, he had taken the opinions of persons well acquainted with the county of Sussex, and unconnected with the Duke of Norfolk, upon it; and had been told by them, that, if he wished to make a good constituency for Arundel, he could not do better than adopt the Report of the Commissioners. Generally speaking, it was the small scot-and-lot boroughs which had been most liable to those corrupt elections that had been the disgrace of this country. Without making any charge, therefore, against Arundel, it had been thought a general duty to extend the constituency beyond the borough as the means of preventing or curing such an evil. The noble Lord seemed to think that a very peculiar course had been adopted with regard to this borough. It was true that, in general, the parishes surrounding the borough had been taken; but whenever it was easy, by taking in a small town, to obtain at once a good and sufficient constituency, that natural and obvious course had been adopted. In this way Godmanchester had been added to Huntingdon; and, in some instances, additions of towns had been made to boroughs which had been larger than the boroughs themselves. The noble Lord said, that Little Hampton and Arundel were rivals; but they were not the less connected together; and as Little Hampton at once furnished the constituency wanted, it was taken. The noble Lord further stated, that there was a sufficient number of voters in the borough, and that no addition at all ought to be made to it; by which it appeared, that the people of Arundel were not more moved by dislike of being joined to Little Hampton, than by dislike of having the principles of the Boundary and Reform Bills carried into effect in their borough. The noble Lord said, that there were 300 voters in the borough; but there were many cases in which boroughs having more than that number of voters had been enlarged: so that, even if that number really existed in Arundel, it was not a sufficient reason to prevent this addition being made to it. But he could not think that such was the case, when he looked to the Mayor's letter, and the other documents before the House. According to the Commissioners' Report, there were only 245 houses rated at 5*l.* He thought, therefore, they were more likely to get a pure constituency by adopting the recommendation of the Commissioners than by acting on that of the noble Lord. It certainly would be an inconvenient course to adopt the recommendation of the noble Lord, and to say that Arundel alone, of all the boroughs of this class, should have no addition made to it. As so much complaint had been made of the four parishes adjoining to Arundel not being taken into that borough, he would move that they be added to it; and, as the noble Lord implied a sort of charge, on account of that part of the parish of Little Hampton which was beyond the river not being taken in, he had no objection that it should be combined as the noble Lord wished.

Mr. *Goulburn* recommended, as the noble Lord himself (Lord John Russell) seemed not satisfied with the present arrangement, that the question should be postponed.

Lord *John Russell* had no objection.

Question accordingly postponed.

The remaining Clauses of the Bill, with some verbal Amendments, agreed to. The House resumed, and the Report was brought up.

On the question that it be received, [Mr. *Bucke* objected to two villages being added to Exeter, that city having already a sufficient constituency.]

Lord *John Russell* maintained that the addition was advisable, inasmuch as there was a community of interest between the city and those parishes, and because the constituency would be rendered more independent by the addition.

Mr. *Baillie* objected to the proposal in this Bill to take portions of the counties of Gloucester and Somerset, in the immediate vicinity of the city of Bristol, and to add their inhabitants to the voters for that city. Two evils would be effected by this arrangement; the first was, that the already numerous constituency of the city of Bristol would be increased by between 3,000 and 4,000 voters; and the next was, that the portions of these two counties, adjoining that city, would be rendered almost close boroughs, He supposed, however, that his objection would have as little effect as that of the hon. member for Exeter had produced; but still he felt it his duty to make it.

Report received, and to be further considered.

Lord *John Russell* moved, that a Select Committee be appointed to consider the Report of the Commissioners upon the limits of the borough of Arundel, and to report their opinions thereon to the House.

The Motion agreed to, and Committee appointed.

FINES AND RECOVERIES.] Mr. John Campbell moved, that the House should go into Committee upon the Bill to amend the Law relating to Fines and Recoveries.

The *Solicitor General* did not mean to oppose the Bill, but he wished his hon. and learned friend would postpone its consideration, as it had come on rather unexpectedly, and several hon. and learned Members, who had wished to give their opinions on some of its details, were now absent.

Mr. *John Campbell* said, that the Bill had been postponed so often, that, if he wished to carry it this Session, he must refuse any further delay, and he did so: he was resolved to press it on now.

Mr. *Charles W. Wynn* recommended a further postponement, because those hon. and learned Members, who were alone capable of discussing the technical details of the Bill, were now absent.

Mr. *O'Connell* thought there was no reason for the postponement of the Committee, for all the advantages were on one side, and there was no dread of disadvantages to balance them. The simple object of the Bill was, to get rid of many useless forms, that not only occasioned expense, but endangered the holder's title to property.

The Bill went through a Committee.

DOWER BILL.] On the Motion of Mr. John Campbell, the House went into Committee on this Bill.

Mr. *Blamire* wished to know, whether the hon. and learned member for Stafford intended to persevere in introducing a clause to enable a husband to take away his wife's dower by will? If so, he thought it very unjust, and he should oppose it.

Mr. *John Campbell* believed, that the Bill had been more favourable to the ladies than the hon. Member seemed to suppose, for it had given them a right of dower out of the husband's equitable, as well as out of his legal estate; and the disadvantage, if any (which he much doubted), of the other clause, was more than compensated by this benefit.

Mr. *Blamire* was not at all of that opinion, and he should therefore move that the words "or by will," now forming a part of the fourth Clause, be omitted.

Mr. *Goulburn* complained that the Bill would work injustice, in cases where marriages had taken place with a view to the rights secured by the existing law.

Mr. *O'Connell* recommended that the law should not be made *ex post facto*, or apply to any woman now married.

Mr. *John Campbell* expressed his willingness to adopt the suggestion of the hon. member for Kerry, to make the Bill operate prospectively only.

Sir *James Scarlett* suggested that it might be made to depend upon the consent of the wife.

Mr. *Sheil* supported some alteration of the Clause, as it gave the husband a power to the injury of the wife.

Mr. *Fysche Palmer* thought that the Bill did not sufficiently protect the rights of married women. At present, a woman could not surrender her jointure to her husband without the consent of trustees; but, under this Bill, her assent alone would be necessary. A wife might be induced to sacrifice her interests, on the solicitation of a profligate husband, when trustees would interfere to protect her. So far, therefore, from being a boon to wives, he thought it placed them in a worse situation than that in which they stood under the existing law.

Sir *James Scarlett*, being anxious to consider more maturely the details of the measure, moved that the Chairman do report progress, and ask leave to sit again.

Upon this motion the Committee divided—Ayes 43; Noes 18;—Majority 25.

The House resumed.

HOUSE OF COMMONS,

Wednesday, June 13, 1832.

MINUTES.] Papers ordered. On the Motion of the SOLICITOR GENERAL, of the Average Amount of Fees accrued to each of the Messengers to the London Commissioners of Bankrupt, for two Months, commencing from 12th January, 1829, 1830, and 1831; and for an Account of similar Fees accrued for two Months, commencing from 12th January, 1832.

Bills. Read a second time:—Boundaries (Ireland); South Sea Islands.

Petitions presented. By Lord EBRINGTON, from Brixham, South Molton, the County of Devon, and Denny;—by Mr. LAMBERT, from Enniscorthy and New Ross;—by the LORD ADVOCATE, from the Trades House, Glasgow,—for Stopping the Supplies until the Reform Bill be passed.—By Mr. LAMBERT, from Gorey, for Equal Rights and Privileges to Ireland; from Enniscorthy and Templeshannon, for a Tax on Absentees; and from four Places in Ireland, against Tithes;—by Sir RICHARD MUSGRAVE, from six Places in Ireland, against Tithes; from Templetown, for Inquiry into the Newtownbarry Affray; and from Collighan, against Turnpike Tolls on Market Carts.—By the LORD ADVOCATE, from Biggar, in favour of the Reform Bill (Scotland); and from Cupar, in favour of the Ministerial Plan of Education (Ireland).—By Mr. SHAW, from Swords, against that Plan.

PARLIAMENTARY REFORM—BILL FOR IRELAND—COMMITTEE.] The Order of the Day read for the House to resolve itself into a Committee on the Reform of Parliament (Ireland) Bill.

Mr. *Lamb* begged leave to present a Petition on the subject of the Bill. It was from Dungarvan, and complained, that by the operation of the Reform Bill, the electors of Dungarvan would be reduced from 860 to 200. He moved that the petition be referred to the Committee.

Mr. *Leader* supported the prayer of the petition, and, in reference to the Amendments to be proposed by his hon. friend, the member for Kerry, he must take that opportunity of complaining, that the population returns for 1831, so far as they related to Ireland, though often promised, and long before ordered, had not been communicated to the House. Would it be credited, too, that the boundary maps were not yet laid on the Table? Without them how could the Bill be discussed? It was necessary to know how the constituencies of towns were to be formed; that was, how many voters were to be abstracted from the county constituency, before they could go into the question of the counties. He did not know how the franchise was to be determined in the towns; and though he by no means wished for delay, he had made up his mind not to vote for any one portion of the enfranchising part of the Bill till the whole information was before them. The Table had been loaded with documents relative to Scotland and England, before the Reform Bills for those parts of the empire were brought forward; but for Ireland there was no information. He asked particularly to see what number of electors were to be given to boroughs, and what limits had been struck out for them by the officers who had had the task. He thought the right hon. Gentleman had not treated the House well by not supplying those documents, and he would not find his account in such proceedings. It was impossible that he, or any other Irish Member, should be prepared to go into a Committee till the Report of the Commissioners, with all the maps and boundaries laid down, was in the possession of Members.

Lord *Althorp* said, the hon. Gentleman would have an opportunity of discussing all these points when the Boundaries Bill was before them, and he saw in the circumstances alluded to by the hon. Gentleman no reason for delay. The documents referred to by the hon. Gentleman would have no influence over the Bill.

Mr. *O'Connell* was surprised to hear the noble Lord say, that the documents would have no influence over the Bill. Would they not specify what number of voters was to be taken from the counties to constitute the boroughs? And how could he know what would be the constituency of the counties, unless he knew what was to be abstracted for the boroughs? To say that documents would have no influence over the Bill was quite unworthy of the talents of the noble Lord. That was not his opinion; but it was what he expected. It was perfectly in unison with the conduct of the right hon. Secretary for Ireland, who sat there sneering and laughing at him.

Mr. *Stanley* was neither laughing nor sneering; he was speaking to his noble friend.

Mr. *O'Connell:* Well, then, the right hon. Gentleman was laughing at something else when the Irish Bill was under discussion. That was just what he expected. For that he was prepared, and he was not surprised at the interruption he received. For England and Scotland documents had been laid profusely on the Table; for Ireland there were none. The population of every part of these two countries was minutely detailed, but the House had got no means of making a comparative estimate of the population of the towns and the counties in Ireland. The boundaries of the boroughs was an essential element in calculating the constituencies of counties. If the proportion of the freemen to be given to a town were not known, how could they be prepared to go into a discussion on the constituency of the counties? He meant to claim additional Members for several counties, and a part of his case would depend on the population they contained, independent of the boroughs. The population Returns were not printed; there was no information before them; and the only document which gave a comparative estimate of the population of cities and boroughs, had been placed in his hands that day, at twelve o'clock. Under these circumstances, he was bound to enter his protest against proceeding then. He would not trouble the House to divide, as he should call upon Gentlemen several times to divide hereafter, but he was bound to protest against going on without the documents. Look at the case of Dungarvan. If the boundary-line proposed were to be adopted, Dungarvan would be as close a borough in the hands of the Duke of Devonshire as ever Old Sarum was. At Youghall, too, the Liberties of the town were shut out, contrary to the rules laid down by the framers of the Bill. They said, speaking of Mallow, that being situated in a large county, a vote for the town would be much more valuable than a vote for the county, and they would not exclude the Liberties of Mallow. But they had excluded the liberties of Youghall, by which it, too, would be made a close and nomination borough in the hands of the Duke of Devonshire. The same was the case with Bandon Bridge, where the Duke and Lord Bandon had divided the interest between them, and that was still to be a nomination borough. He should be content to go on to-morrow, and he did not want to delay the Bill. He did not want to remain in the capital, nor keep other Gentlemen here one moment longer than was necessary, and he should be content to sit from day to day, but he must protest against proceeding with the Bill till he had read the documents.

Mr. *Stanley* said, that it was his desire that hon. Members should have had the information sooner. He had, in the first place, hoped to put the book containing the boundaries and the maps in the hands of all the Members of that House three or four days ago; but every body knew that some time was necessarily occupied in colouring maps, even after they were engraved. He had not been able to get the engravings, before yesterday, on account of the time required to complete them, which was the sole cause of the delay. He had wished to expedite them as much as possible; and as he understood that only fifty or sixty copies could possibly be in readiness for distribution to-day, he thought that he was only doing his duty in giving directions that they should be distributed amongst the Irish Members, and that one copy, especially, should be forwarded to the hon. member for Kerry, as he had complained of their non-production. As to the population which made the constituency in the different counties and boroughs in Ireland, there was no more information, at least as to its numerical amount, furnished in this volume than was to be found in those papers which constituted an abstract of this volume, and which had been laid on the Table of the House one month ago. This volume was expressly devoted to the fixing of the boundaries; but it was made a matter of complaint, that they had not been furnished with the same mass of comparative information in this instance that had been laid before them with regard to the English boroughs, towns, &c. Now, it should be recollected, that such information was absolutely necessary in the instance of the English Bill, as they had to disfranchise a number of boroughs in England, and it was, therefore, necessary to ascertain with precision the relative merits of the various existing boroughs in this country. But, as there were no boroughs to be disfranchised or enfranchised in Ireland, it was not necessary to determine the comparative claims between existing boroughs there, and therefore the information required as to England was not required as to Ireland. All they had to do with regard to the boroughs in Ireland was, to see that their boundaries were fairly and properly settled, and when they came to the discussion of the Boundary Bill, he was quite sure that he should be able to show the House that such had been the case. With regard to Mallow and Dungarvan, he must be allowed to say, that they had been treated exactly in the same way that boroughs under similar circumstances had been treated in England. In the case of those two boroughs, the freemen resident within the limits of the borough possessed at present, from the same premises, a double right of voting, for the town and for the county. Now, both cases were dealt with precisely on the same principle that had been applied to similar cases in England; namely, that no person should derive a double vote from one and the same property, at the same time that the right of voting, as it at present existed, was preserved to the resident freemen for the term of their own lives. In fact, as he had said already, the case had been dealt with exactly in accordance with the principles of the English Reform Bill. He begged to apologize to the House for entering into those questions, for the discussion of which this was not the fit or proper opportunity.

Sir *Richard Musgrave* contended, that the narrowing of the limits of boroughs was contrary to the instructions of the Commissioners. In proof of this, he would refer to a statement of one of the Commissioners, in which he stated, that he was to enlarge, and not contract, the limits of boroughs. The number of voters at present in Dungarvan amounted to 860, and the boundary proposed by the present plan would reduce the number of 10*l.* voters to 106, the greater number of whom were resident on the estate of the Duke of Devonshire; so that the Representation of that town would be thrown into the hands of the noble Duke. The object of the English Bill was, to establish a respectable constituency in towns. The House must see, that the Bill proposed for Ireland would have a contrary effect. Ireland was a poor country, and it was gross injustice to raise the franchise. Youghall, Bandon Bridge, and Mallow, were circumstanced like Dungarvan, and would be close boroughs under the present Bill. If Ministers persevered in opposing the amendments suggested by the Irish Members, he had no hesitation in saying, that it would be a direct infraction of the pledge they had given to the Reformers of the empire. He considered this part and parcel of the general measure; and he thought that the interests of the English people would be affected, as well as those of the Irish, if that measure were not substantial and effectual.

Mr. *Gally Knight* wished to know whether, under the present arrangement, a small borough which he saw at the corner of the map was to bear the same name. The name of the place at present was Snugborough.

Petition read, and ordered to lie on the Table.

Mr. *Lamb*, in moving that the petition should be printed, said, that he had taken the earliest possible opportunity to lay it before the House, as it had not reached him till last Saturday. He did not think that was exactly the fittest period to enter on a discussion of the point to which the petition referred. The petitioners prayed that the right of voting should be preserved to the *5l.* householders in this borough, and, for his part, he did not see any reason why, in the various boroughs throughout Ireland, where those *5l.* householders already possessed the right of voting, they should be disfranchised. He would do all he could to support the rights of those voters.

Mr. *Stanley* said, that they had dealt with the *5l.* householders in Ireland, precisely as they had dealt with the same class of householders in England; namely, the right of voting, where it existed, was retained to them for life, and they were disfranchised prospectively. He would just refer to Youghall to show what would be the effect there of the present Bill. The constituency of Youghall at present amounted to 263, of which 176 were non-resident, and eighty-seven resident. Now, of those eighty-seven resident voters, seventy-four would be retained by this Bill as 10*l.* householders, and an addition of nearly 300 more made to the constituency there.

Mr. *O'Connell* asked did any Member in the House entertain the slightest doubt but Youghall would be a close borough? Let him not be told, that this was a Reform Bill, when the Duke of Devonshire was to have the nomination to the borough. What was the professed object of this Bill? To amend the Representation of the people; to throw open the close boroughs. If this was not the object, what was the value of the Reform Bill? It was a poor answer to tell him, that there was no *5l.* franchise in England, and that therefore this species of franchise could not be introduced into Ireland. But it ought to be recollected that Ireland was a poor country, and that a *5l.* qualification there was nearly equal to a 10*l.* franchise in this country. It was his opinion that those *5l.* franchises which existed in forty boroughs in Ireland, previous to the Union, should be allowed to continue there in the existing boroughs. Now, with respect to the answer of the right hon. Secretary, who said, that the population returns had nothing to do with this question, and that the papers which had been lying on the Table of this House for a month past could furnish us with all necessary information. Now, he (Mr. O'Connell) would be glad to know, how he could learn from these documents what portion of the towns had been cut off and added to the constituency of the counties, and how many farms, belonging to counties, had been cut off and added to the towns. These documents did not state that two thirds of Dungarvan were cut off; nor that the Liberties of Youghall had been struck off by the Boundary Commissioners; and yet this was what the right hon. Secretary called giving him an answer; but it was what he (Mr. O'Connell) called a miserable quibble, a contemptuous, insulting excuse for hurrying the House into this Committee, without the means of arriving at any satisfactory results. Were Ministers to dictate a Reform Bill for Ireland? If the dictates of the right hon. Gentleman were not meant to carry this Bill, what was the meaning of this indecent attempt to force them into Committee? But he would take him upon his own book, and show that he had given him no answer. For instance, might not Londonderry, Carrick-on-Suir, Kilkenny, or any other large towns, say, that they had as good a right to two Representatives as Belfast? or if, instead of giving two Members to the College of Dublin, they were to select some town better entitled to an additional Member, how could they decide in either of these cases without a comparative estimate of the population. This was his object in calling for the population returns, and yet the right hon. Secretary had told them, in what he called his answer, that these documents were wholly unnecessary. He also wanted the population returns in order to prove that Ireland was entitled to claim a greater number of Representatives than this Bill gave her; and in order to demonstrate that there was in this instance, as there was in every other, a shrinking from giving Ireland her just and proper share in the Constitution—a feeling which existed from the earliest period of her connexion with England, and which, in his conscience, he believed still continued to exist in the breast of the right hon. Secretary, with as lively a force as it had ever existed in this country for the last 700 years.

Mr. *Wyse* said, that the influence of the Duke of Devonshire would be preserved by this Bill in Dungarvan, while the influence of the other dominant family there—that of the Marquess of Waterford—would be, in consequence of the new boundary, almost totally destroyed. Now, though he was not friendly to the politics of the Marquess of Waterford, he thought the influence of one family should not be destroyed in that town, in order to give full scope to the domination of another, and he was quite sure, that by the existence of the influence of the Waterford family in Dungarvan, the politics of the Duke of Devonshire would be improved. He must insist on the propriety of having the population returns laid upon the Table, before they proceeded with this Bill.

Mr. *Sheil* would ask the House, if the policy of the English Reform Bill was not to have a constituency of at least 300 in each borough? Why, in the name of justice and common sense, should not the same principle be extended to Ireland? Dungarvan would have a constituency of 160. Now, really this was too bad. Upon what ground, he was at a loss to conjecture, could such a system be defended? In England, the boroughs were to be thrown open—in Ireland, hot beds of corruption were to be preserved. If the object of the Government were to increase the county constituency, he could point out a mode by which this might be effected without entrenching on the constituency of the towns. Let them restore the franchise to the 40*s*. freeholders in fee. There was no just reason for depriving this class of voters of their rights; they were an independent and industrious body of men, and every way entitled to the privileges for which he contended. He most earnestly entreated his Majesty's Ministers not to press them to go into Committee this evening. It was but reasonable that they should yield upon this point to the remonstrances addressed to them by so many Representatives for Ireland. Again he implored the House to listen to the complaints of the Irish people, in whose hearts it would be very easy to plant a thorn, but it would not be so easy to pluck it out.

Mr. *Jephson* said, that as allusion had been made to the proposed boundaries of the borough he represented, he felt himself called upon to say, that he had, two or three days ago, sent to his constituents the map describing those boundaries, and he should wait their instructions before he made any observation upon the proposition.

Mr. *Maurice O'Connell* was much surprised to hear what had been stated by the hon. member for Mallow, which was somewhat at variance with what had fallen from the right hon. Secretary for Ireland. The hon. Gentleman, the member for Mallow, had said, that he had sent off the maps to his constituents some days back, whilst the right hon. Secretary had stated, that of the books containing those maps, only fifty or sixty were ready, and had been delivered within the last two days.

Petition to be printed.

Mr. Stanley moved that the House do go into Committee on the Reform of Parliament (Ireland) Bill, upon which

Mr. *O'Connell* said, he rose to take the sense of the House upon the Motion which he then felt it his duty to make. He wanted to re-establish the 40*s*. franchise in fee, and he intended to move, that such individuals residing in counties possessed of a fee simple estate of the value of 40*s*., should be entitled to vote. The Reformers of England would have to decide this important question; the Reformers of Scotland would have to decide upon it, and a few hours would determine whether or not they were sincere in their professions. He claimed this for Ireland as a matter of right and justice. He could not see what possible motive could induce them to refuse unless, indeed, they were determined to treat the Irish with contemptuous indifference; or to exhibit a hostile disposition to the just demands of his country, instead of meeting them with a fair and conciliatory spirit. The people of England had retained this franchise, and why, he would ask, had not the people of Ireland the same right to it? Would the Ministers dare to treat England in this way?—and if the English people would not permit them to do so, did they suppose that the people of Ireland would suffer such treatment with impunity? The Bill which was proposed to reform the Representation of Ireland, was founded upon a wrong basis, and had certainly been framed with no very friendly feeling towards that portion of the British empire. What he understood by Reform was, the removal of abuses, whether existing under a base oligarchical system, or arising from any other cause in the representative system. Such, at least, would be the principle of the English Bill. But far different would be the effect of that measure in Ireland (he was referring solely to the county constituency); they proceeded on the foundation of the franchise as it was, without taking the trouble to inquire whether that franchise was a proper one or not. He demanded a Reform Bill for Ireland upon the same basis as the constituency existed in 1829. He merely required the restoration of that franchise of which the 40*s*. freeholders in fee had been unjustly deprived in 1829. He knew no possible pretence that could justify this act of spoliation, still less could he discover any reasonable ground upon which his demand could be refused; for it ought to be recollected, that the Administration of the Duke of Wellington (no Reformer) merely voted for that bill to make another measure palatable, but which they did not hesitate to call a bad bill. Thus, in order to carry the question of Emancipation, the English Reformers voted for this measure. Instead of increasing the freedom of election, the Reform Bill for Ireland would have a directly contrary effect. If the object of its framers (he did not mean to say that it was so), but if their object was, to throw the Representation of Ireland into the hands of absentee proprietors, this Bill could not have been framed in any way better calculated to effect that purpose. His Majesty's Government refused to give the Irish, except in one solitary instance, and just where it could be of no possible use—a chattel franchise of 10*l.*, and this concession was made, not from any conviction of its utility upon the mind of the right hon. Secretary, but upon the recommendation of a noble Lord, the Representative of a northern county. He could not be charged with impeding his Majesty's Government, for he had refrained from pressing the grievances of Ireland upon them until the English Reform Bill had become the law of the land, and even then, he did not complain until he went, as the delegate from a most respectable body of gentlemen, to the noble Lords opposite, the Chancellor of the Exchequer, the noble member for Devonshire, and also the right hon. Gentleman, the Secretary for Ireland. If he went alone, he felt that he might not be entitled to more than ordinary courtesy, but he was accompanied on that occasion by the venerable and estimable Gentleman, Sir John Newport, whose opinion, at least, ought to have some weight. He did wait upon these personages, not, indeed, with "bated breath and suppliant knee," but with the upright and bold port of men demanding justice—for the purpose of remonstrating with them, and pointing out the injustice of this measure. He thought he made an impression on two of the noble personages. If he knew anything of human nature, he was quite sure he produced an impression upon the mind of one of them. But there was one right hon. Gentleman upon whom his reasoning had, he knew, little influence—a Gentleman who, from the very outset of his career, had, in all his acts, distinguished himself as the enemy of the liberties of Ireland. He now solemnly warned that right hon. Gentleman to adopt some far different course with regard to Ireland. His contemptuous conduct would no longer be tamely borne; if he persevered in such a course, he would produce strife and bloodshed in the country, which must end in separation. He called upon the right hon. Gentleman to review his conduct since he became officially connected with Ireland. His first act was, the celebrated circular letter to the Magistracy of Ireland. He next re-organized a body which were nearly defunct when he came into office—a measure which brought out Captain Graham and his Yeomanry to butcher the people, and he afterwards dismissed this very same Captain Graham for so doing. "Let the right hon. Gentleman go on in this course," said Mr. O'Connell, "and I tell him, that the insurrection against tithes in Ireland will be swelled into a formidable and bloody rebellion which he may not find it so easy to put down." He (Mr. O'Connell) was convinced of the value of the connexion between the two countries, and so long as he lived, he should use all his influence to preserve it. He could not, however, say how long it might be in his power to do so. Indeed, it required all the influence of persons in whom the Irish people placed confidence to prevent its being severed at this moment. He could, however, tell the right hon. Gentleman, that the concession he now recommended was the only method left to England of preserving her connexion with Ireland. It had been invariably stated that the number of 10*l.* freeholders in Ireland was 20,000. It was little more than 19,000—there would not be 28,000 voters. He was quite sure that there would not be 30,000 for a population of 7,500,000. This fact he would prove at some future stage of this Bill. He was prepared to do so then, and to go fully into the details, satisfied with this point alone, to try the feelings of English Reformers towards his country, and he would ask, even amidst the declamation of granting equal justice—was there equal justice between the two countries? It was known that until the reign of Henry 6th, everybody had a right to vote. From that time to the passing of the Catholic Relief Bill, the 40*s.* franchise had existed, of which Ireland had been deprived at that time. He could not but contrast the conduct of the noble and distinguished individuals, constituting his Majesty's Government at present, with what it was when the disfranchisement of the 40*s.* freeholders of Ireland was discussed. The late lamented member for Liverpool (Mr. Huskisson) was followed in his opposition to the measure, by the noble Lord (not now in his place) the Secretary for Foreign Affairs. The right hon. Gentleman, the President of the Board of Control, delivered a most admirable speech in favour of their rights, though he afterwards certainly voted for their disfranchisement; and, in short, the 40*s*. freeholders were then supported, even in the abuses which were asserted to arise from their franchise, by every influential man in the present Government, including the illustrious individual, the present Lord High Chancellor of England. In 1829, it was alleged, as a ground for the disfranchisement of the 40*s*. freeholders, that they had left and abandoned the legitimate influence of their landlords, and yielded themselves to the influence of their priests. He denied the insinuation, and hesitated not to say, that the priests were then, as now, under the control of the popular opinions and sentiments of the great majority of the population of the country. In proof of this, he would mention the case of a Catholic clergyman, at his election for the county of Clare. The reverend Mr. Coffey marched at the head of a body of freeholders into the town of Ennis, which he was bringing up, for the purpose of voting for Mr. Vesey Fitzgerald a most estimable gentleman, whom the 40*s*. freeholders turned out of Clare for joining the Administration of the Duke of Wellington. The moment the freeholders arrived in the town, they took off their hats, gave a hearty cheer, bowed to the reverend Mr. Coffey, and walked off, leaving the reverend gentleman standing alone. The alleged influence of the priests was made one ground of a petition against the returns of no less than five counties in Ireland—namely, Westmeath, Dublin, Galway, Waterford, and Clare—in the last against his (Mr. O'Connell's) return. But in three cases the counsel for the petitioners had abandoned that branch of their case; and in two instances evidence in support of the allegation was gone into; and when it was proposed, on behalf of the parties petitioned against, to proceed to rebut that evidence, in both cases the Committee unanimously stopped the counsel, stating that they were satisfied that the allegation was untenable. Thus he showed, when opportunities were afforded of proving that the priests possessed that influence which was alleged (and then believed to exist), the charge was either abandoned, or totally failed in proof. The Committee, however, decided, by the fact of their going into evidence upon the point, that the interference of priests was a ground upon which an election might be invalidated. After these facts, it would be a work of supererogation on his part to use any further arguments to show the absurdity of this objection. He only mentioned these things to show how little the real state of Ireland was understood in that House. He was, however, willing to admit that the people were under the influence of agitators, as they were called. He himself, as everybody knew, had the honour to belong to this class; but these agitators were but the mouth-pieces of the people; and they only possessed influence so long as they expressed their wishes and their feelings. To return, however, to the Disfranchisement Bill of 1829, he must remark, that in 1825, he was himself examined before a Committee of the House, with reference to the class of voters subsequently disfranchised, and it was then considered and understood (at least it was so by him), that the 40*s*. freeholders in fee were to remain untouched in their rights and privileges, and yet in 1829, with a reckless negligence and forgetfulness of every principle, they were included in the measure, and disfranchised, though against them there did not exist the least pretence for such a course. He, in addition to what he had already objected, must also appeal against the franchise introduced in the measure, nominally a 10*l*. franchise, but one which, under that Bill, was stated by the right hon. Baronet near him, to be really a 20*l*. franchise, because it was provided, that there should be 10*l*. over and above all charges, costs, and expenses. The franchise had not been diminished, but extended, in England; why should it not be rendered more extensive in Ireland? Why not restore their rights to the 40*s*. freeholders, and thus give to the peasantry a sense of importance and independence, while we afforded them a stimulus to industry? Either the English Parliament thought Ireland unfit to receive this boon (boon did he call it?)—nay, this act of justice—or they considered the privilege which was enjoyed in England too good for Irishmen, and grudgingly resolved to keep it to themselves. Grosser injustice was never displayed than that which the Irish Reform Bill exhibited. Who would dare to tell him that Irishmen were not as well entitled to this franchise as Englishmen? After this they might talk to him of equal rights and equal privileges, but he would laugh at their empty vauntings. What, he would ask, was one of the pleas for refusing it? Why, that they could not disturb the Members of the House. That was General Gascoyne's plea—a man of whom he would say, without hesitation, that he was one of the worst used gentlemen in England. General Gascoyne had moved and carried an instruction to the Committee, that the number of Members for England and Wales should remain 513. The House was dissolved. The General went back to his constituents; and, under the influence of the Government, was almost hooted out of Liverpool; yet that same Government actually adopted the principle of the Motion they had thus so violently condemned. All the people of Ireland had to contend with was, in fact, a mere prejudice that the number of the House should remain 658. But, even with a knowledge of that prejudice, the Government had taken care to draw so liberally on their bank for the people of England and Wales, that there remained nothing for Ireland. The numbers of the House were now to be scrupulously preserved—England would have thirty Members more than originally contemplated, but Ireland was excluded from deriving any advantage; in consequence of the departure from the principles of the first Reform Bill, her Members would not be augmented. Did Ireland deserve such treatment, after the assistance her Representatives had rendered Ministers on the English Reform Bill? But this was always the way where Ireland was concerned; her aid was invoked in the battle, but when a division of the spoil came, she was forgotten. The Irish were ready to forgive—they demanded only equal justice—but it was the injured who forgive—those who do the wrong never forgive. He appealed to the Ministers, as Reformers, to remember the situation in which they were now placed. Let them remember that their votes would go forth to the world; that they had to decide upon the claims to equal justice of a large portion of the empire. Would they remind the people of Ireland of that sentiment which had been so often repeated to them?

"—— Hereditary bondsmen, know ye not
That he who would be free, himself must strike the blow?"

He would not go into a lengthened view of this subject; but the conduct of the present Government was of a piece with that which had been pursued by every Administration in Ireland since the time of Henry 2nd. The people of Ireland had only put in a claim for an equal participation in those rights enjoyed by the other subjects of the empire. That was done even in the reign of Henry 3rd; but the just demands of the people were then refused, and their interests were sacrificed to the Conservative party, as they had now been by the right hon. Gentleman. He might carry his proposition; but let him recollect, that he would not satisfy the claims of the Irish people, and the Conservative party, to whom he sacrificed them was not now dominant; he would not conciliate them now. But let him consider well the consequences of his conduct. It had been said, that if Henry 8th had conceded as much to the people of Ireland, as he did to the people of England, the Reformation would have been successful in that country. He did not think that; but it had been so stated by more than one historian. When there was the first appearance of concession, in the reign of James 1st, he, by the advice of Sir John Davis, introduced the rotten borough system there, and by that means destroyed the good he otherwise might have done. James made forty boroughs in one day, with a view to give the dominant party control in the Legislature. This was in character with the whole system, to prevent the voice of the people being heard. It was little more than 200 years since it was no crime to murder an Irishman; and it had only been at periods of danger and of difficulty that Ireland had ever been able to obtain anything from England. England endeavoured to enslave the people—it destroyed their Churches—it threw down their altars, and stripped their clergy of their property—but it did not succeed in the attempt to destroy the spirit of the people. The present Parliament had restored to the people of England those rights which had been usurped by an oligarchy. It had rendered useful service to this country, and why not do equal justice to Ireland? In the present instance insult had been added to injury—the English Reform Bill was brought forward by an English Gentleman; the Scottish Bill by a Scottish legal luminary; was there no Irishman to whom Ministers could intrust the Irish Reform Bill?—was it necessary that it should be introduced by one who could conciliate nobody—a person in whom no party could confide? Yes, the right hon. Gentleman opposite had been fully intrusted with a measure which was calculated to destroy the independence of Ireland. Wise and political Statesmen as were the present members of his Majesty's Government, they wished to put an end to excitement and agitation in Ireland, and how did they set about it?—by perpetrating an act of injustice which must perpetuate excitement, and leave no room for tranquillity but the tranquillity of slavery, and that, he pledged himself, they should not have. He told the right hon. Gentleman (Mr. Stanley) he might defeat him (Mr. O'Connell) in that House, but the Irish people would beat the right hon. Gentleman elsewhere. They would vanquish him; and in doing so, they would violate no law, so long as Algerine Acts, such as the Registration of Arms, and Unlawful Processions' Bills did not exist. No; so long as the right hon. Gentleman left the Irish people one rag of the Constitution, they would take their stand upon that and beat him. In conclusion, he should move, by way of Amendment, that it be an instruction to the Committee to restore the elective franchise to persons seised in fee, and occupying freeholds of the clear yearly value of 40*s*.

Mr. *Stanley* expressed his surprise at the tone and temper of the hon. and learned Gentleman's speech. If he (Mr. Stanley) were the person, as the hon. Gentleman intimated, who stood between the claims of Ireland and their just consideration and accomplishment—if on his voice alone depended the extent of the measure of Reform to be dealt out to that country, and if he were indeed that hard task-master which the learned Gentleman would represent him to the people of England, who, he hoped knew him better, and to the people of Ireland, whom the learned Gentleman wished to delude, certainly the hon. member for Kerry had not taken the best mode to conciliate him, assuming that he acted on personal grounds and motives. But the learned Gentleman well knew, that he (Mr. Stanley) was not acting from any such motives. He would not recriminate on the learned Gentleman, although there were charges which he could make, and not without foundation, but, he repeated, he would not. As he had abstained from answering the pointed calumnies, he should not take any more notice of the personal parts of the hon. Member's speech. One thing, however, he would say—the learned Gentleman must have been internally laughing at his audience in that House, as he often did elsewhere, when he made it a ground of accusation against the Government, that an Irishman was not the organ to bring the Irish Reform Bill forward. The learned Gentleman knew well that it was his (Mr. Stanley's) duty as Irish Secretary to introduce the Bill, but the hon. Member added, that he could conciliate no friend, that no party relied on him, and chiefly for this reason, that he repudiated all assistance, and would admit of no alteration in the measure. Now he (Mr. Stanley) asked, whether he had not only exhibited a willingness to listen to suggestions, but actually adopted them wherever they appeared beneficial? If the learned Gentleman were sincerely desirous of amending the Bill, and forwarding its progress through the Committee, the first clause which he objected altogether to discuss that evening, would have afforded him an opportunity of proposing the very instruction which he now moved, as an amendment, on the Speaker leaving the Chair. But the learned Gentleman threatened the House with instruction after instruction, with a view to obstruct the Bill. Was that the conduct of a sincere advocate of Reform? Was that the way to keep up the good understanding between England and Ireland, of which the learned Gentleman talked so much, but which his conduct was directly calculated to impair, if it could be lessened by the acts of an individual? With regard to the proposed instruction, he was glad to find the learned Gentleman now abandoning all but the 40*s*. in fee voters, that he gave up those who had an interest on lives.

Mr. *O'Connell* said, he meant to make the other 40*s*. freeholders the subject of another instruction.

Mr. *Stanley*: At least, the hon. and learned Gentleman did not proceed further in his present motion. The learned Gentleman spoke of the injustice of refusing the franchise in one country to a class of freeholders who were permitted to exercise it in another; but let it be observed, that there was some difference between continuing a right of voting now in existence, and conferring, in opposition to a positive law, a right of voting that had been discontinued. He did not mean to say, that if the case of the Irish 40*s*. freeholders in fee had been pressed in 1829, he might not have made an exception in their favour; but now, unless it could be clearly established that those freeholders constituted a large and respectable body, he thought the existing regulation ought not to be relaxed in their favour. At that time, he should not, in theory, have been opposed to concession; but now, he should not be prepared to yield, unless a strong case could be made out. The hon. and learned Gentleman had charged him, in the course of his speech: with having refused to yield all extension of the suffrage, except in one instance, and that was, because it was urged by a noble friend of his, the Member for an Orange county. The hon. and learned Member laid peculiar emphasis on the expressions, northern and Orange county, and he added, that this was another support for that party. He was sure every one who heard that hon. and learned Gentleman must think, that the greater portion of the persons on whom the franchise would be bestowed, by this alteration, were Protestants. Now, what were the facts of the case? His noble friend informed him that there were a great number of Catholics in the northern counties, who, in consequence of formerly not being able to obtain freeholds, held land on lease, for a term of not less than sixty years, and renewable for ever, and this was regarded of the nature of freeholds. So far, therefore, from the object of the amendment being to add to the number of Protestant voters, it was to admit a large number of Catholics into the constituency of the northern counties. But, to return to the 40*s.* freeholders: the learned Gentleman said, "How unjust to disfranchise the Irish 40*s.* freeholder in fee, while you allow the English 40*s.* freeholder in fee to exercise the franchise." But Parliament was bound to look and ascertain whether 40*s.* freeholds were held by the same class of persons in Ireland as in England. He had already spoken of the necessity of numbers, in order to make out a case; it would be absurd to legislate for a few individuals, and he believed he was justified in declaring, that in a vast number of the Irish counties there was not such a thing known as a 40*s.* freeholder in fee, and further, that in the great majority of counties where 40*s.* freeholders in fee existed, they were the lowest, most corrupt, and venal, that could well be imagined. Take the county of Wexford, in which there was a considerable number of them, and on examination, what sort of persons would the freeholders be found to be—they were persons who, to use an American phrase, having literally "squatted" on the side of a mountain, or a bog, had, by long possession, acquired the right to their holdings. In one instance of a contested election for the county, the candidates, of whom there were four, came to an understanding that they would not purchase the votes of any of those 800 freeholders so situated, it being well known that they were all venal. He believed the great majority of the 40*s.* freeholders was precisely of this description, and unless he heard a satisfactory answer to his objections, from some Irish Member who could prove that the 40*s.* freeholders in fee constituted a large body of respectable and independent men, not under the control of landlords, priests, or agitators, he must say, that a case had not been made out to restore to that class in Ireland a privilege which was continued in England, but under widely different circumstances. On the grounds now shortly stated, he opposed the learned Gentleman's motion for an instruction to the Committee.

Mr. *Leader* said, there existed throughout Ireland a strong feeling of aversion to the Bill, which narrowed the constituency, and did not give an adequate number of Representatives to that country. At the time of the passing of the bill for disfranchising the Irish 40*s.* freeholders, the number of voters of that class was 190,000, making, with 100*l.*, 50*l.*, and 20*l.* freeholders, a county constituency of 216,000. The constituency of 10*l.* freeholders, substituted for the 190,000 disfranchised voters, amounted to only 19,264. Was this to be endured? Taking all voters for counties from 100*l.* to 10*l.* the twelve counties of Leinster contained but 14,000 constituents; Munster, 14,000; Ulster, 15,000; Connaught, 7,000. But, considering the defective state of county registration in Ireland, and looking at the numbers polled at former elections, it might be safely stated, that the entire county constituency would not exceed 26,000, and that, he contended, was no constituency at all. He would read some returns, in order to show, that the Bill would not extend the franchise in Ireland, and would merely effect a change in the character of the voters. The first return he would read described the county constituency of Ireland, as it stood before the passing of the Catholic Relief Bill. The number of freeholders was then, dividing them into classes, as follows:

Of £100	303	Of £20	6,806
Of 50	18,066	Of 40*s.*	191,666
Total ..	.. 216,841		

By the first measure of justice granted to Ireland—equal civil and religious rights—the franchise of 191,666 40*s.* freeholders was destroyed:—

Leinster lost ..	21,903	Ulster	62,756
Munster	32,851	Connaught	74,156

The constituency substituted in its stead were the 10*l.* freeholders who, in the following year, in each of the provinces, stood as follow:—

Leinster........	1,997	Total 19,264
Munster	9,375	
Ulster	6,194	
Connaught......	1,698	

Thus the constituency of Ireland was reduced by what was a great boon, nearly 180,000. The next return he would read was a statement showing the numbers registered in each province, up to the 1st of May, 1831:—

	Of £.50.	Of £.20.	Of £.10.	Total.
Leinster	7,375	2,869	4,217	14,461
Munster	7,382	3,113	3,887	14,382
Ulster	4,697	2,436	8,535	15,668
Connaught	2,683	1,498	3,470	7,651
Ireland	22,137	9,916	20,109	52,162

Of the county constituency in this table, not more than one-half was entitled to vote, as would appear. Of eighteen counties in which there were contested elections in 1830, the gross number of votes that polled was 15,211; calculating the other counties in the same ratio, not more than 26,000 would appear to be the present number, which was more than probable, from the defective state of the several county registries. The clerk of the peace of the county of Cork, for example, said, "the number given is all that appears on the books, many of those are dead, many lost their freeholds by the diminution of the value of lands, and the expiration of titles, particlarly among the 50*l.* class." The clerk of the peace of the county of Kilkenny stated, that it included all those "taken up from the commencement of the registry." In like manner, the clerk of the peace of the county of Londonderry stated that the return contained "all the 50*l.* freeholders since the year 1796." Of the 50*l.* freeholders that stood on the registries in 1830, the number that voted was about one-third of the number that appeared entitled to vote. So much for the county constituency. He would next show the House, the present and probable constituency of the cities, towns, and boroughs. [The hon. Member read the table which we have inserted in the next page, of which the following is a synopsis, exhibiting the present state of the constituency, with that to be permanently preserved or acquired by the Reform Bill.]

PLACES.	Votes at present.	Votes to be permanently preserved or acquired.
7 Counties of Cities and Towns	12,011	10,890
7 Open Boroughs	4,127	2,738
9 Close Nomination Boroughs	121	2,629
8 other Nomination Boroughs	648	2,641
	16,907	18,898
The only places getting any thing like an English constituency by the proposed Bill are—		
Dublin	5,700	14,720
Belfast	13	2,300
33 places	22,620	35,918

The result upon the whole of the cities and boroughs was this, that under the present system the amount of constituency was 16,907, and under the Bill it would be 18,898. Including the new constituency it would not exceed 36,000. Such an alteration could not give satisfaction. New blood must be infused into the system, or the worst consequences must be apprehended. By the proposed measure of Reform, the constituency of the towns and boroughs of Ireland would not be increased —it would be simply changed. Instead of freeholders and freemen, they would now have occupiers and householders. It was impossible that any measure effecting only such a mockery of Reform could be permanent. He knew of no way in which the connexion between the two countries could be maintained, but by a fair and full Representation of the people. At present Ireland was unconnected with the Government. With the exception of the Chancellor no Irishman was a leading member of the Government. In the councils of the Sovereign Ireland had no weight. The people felt this—they felt that they were not at present fairly or freely represented in Parliament. They felt that none of their own countrymen were placed near the Throne—they felt that their interests were neglected—their condition little cared for. In a measure of Reform, they hoped to find a remedy for these ills; but, if they were to have only such a Reform as that now proposed, they would be grievously disappointed. The people of Ireland, however, were alive to their rights, and in his conscience he believed that they were determined to maintain them. They felt that their rights would not be properly regarded, if by this measure of Reform, the constituency of the country was not increased in number, but merely changed in character. When the constituency of England and Scotland was so much increased, the people of Ireland felt that justice was not done to them, when the constituency of that country was left numerically the same. In many towns which he could name, the Bill would operate to reduce the present constituency to half its existing number. In no place, he believed, would it increase the constituency. How, then, could such a measure be satisfactory—how could it be permanent? Under these circumstances he called upon Ministers to reconsider the amount of the qualification which they

PROBABLE CONSTITUENCY.

1.—*Counties of Cities and Towns, open Places.*	The present Constituency.	Votes preserved or to be acquired by the Bill.	Votes reserved for Life.	Total.
1. Carrickfergus	847	446	313	759
2. Cork	3,876	4,550	1,500	6,050
3. Drogheda	936	827	453	1,280
4. Galway	2,094	660	961	1,621
5. Kilkenny	865	850	340	1,190
6. Limerick	2,413	2,050	1,547	3,597
7. Waterford	980	1,507	340	1,847
	12,011	10,890	5,454	16,344
8. Dublin	5,700	14,720	1,500	16,220
2.—*Open Boroughs.*				
1. Dungarvan	871	210	750	960
2. Downpatrick	493	220	—	220
3. Londonderry	450	578	97	675
4. Newry	935	700	—	700
5. Mallow	524	200	450	650
6. Wexford	591	430	213	643
7. Youghall	263	400	13	413
	4,127	2,738	1,523	4,261
3.—*Close or Nomination Boroughs.*				
1. Armagh..by the Primate	13	450	2	452
2. Bandon..by the Duke of Devonshire and Earl of Bandon	13	240	—	240
3. Carlow..by Earl Charleville	13	350	3	353
4. Dungannon..by Lord Northland	12	161	2	163
5. Ennis..by Sir E. O'Brien and Lord Vesey	15	250	—	250
6. Enniskillen..by the Earl of	14	283	3	286
7. Portarlington..by the Earl of	15	185	1	186
8. Sligo..by Owen Wynne, Esq.	13	456		464
9. Tralee..by Sir E. Denny	13	254	—	254
	121	2,629	19	2,648
10. Belfast..by Marquis of Donegal	13	2,300	1	2,301
4.—*Nomination Boroughs by Usurpation.*				
1. Athlone..by Lord Castlemaine and St. George family	90	220	8	238
2. Cashel..by Colonel Pennefather	26	200	—	200
3. Clonmell..by Colonel Bagwell..	94	652	8	660
4. Coleraine..by London Company	2	188	26	214
5. Dundalk..by Earl Roden	32	600		606
6. Kinsale..by Lord De Clifford	175	260	6	354
7. Lisburn..by Lord Hertford..	141	275	—	275
8. New Ross by the Marquis of Ely	38	246	8	254
	648	2,641	160	2,801

proposed for the voters of Ireland. He called upon them to consider of the expediency and the justice of reducing that qualification to 5*l*. A 5*l*. qualification in Ireland would not, in point of fact, be lower than the 10*l*. qualification in England. It would enfranchise an honest and independent class of men who would have too high a sense of the advantages of the right conferred upon them ever to exercise it improperly. In conclusion, the hon. Member implored the House to adopt the amendment of the hon. and learned member for Kerry. That the power of the hon. member for Kerry was great, no man could deny; but if the Government and the Legislature wished to take away that power, let them destroy abuses. Let that be done; let Ireland be well governed and fairly represented, and there would be an end of the extravagant and unprecedented power which the hon. member for Kerry now possessed.

Sir *John Bourke* gave the Ministers full credit for a sincere desire to benefit Ireland; but still he did not think the Bill satisfactory as it at present stood. He was favourable to the extension of the county franchise to the 40*s*. freeholders in fee, but further he would not go. He thought that, in justice and fairness, Ireland was entitled to more than 105 Members, by whom she was to be represented after the passing of this Bill. If Ministers, however, were determined to persist in that particular number, he should then maintain, that they ought to be differently allotted; and in Committee he should move that the Representatives of the six smallest towns, and the additional Member which it was proposed to confer upon the University of Dublin, should be given to the seven largest counties. In four of the small boroughs it had been found almost impracticable to form a constituency. It was said, let the measure be complete and final. That was his wish, but for it to be so it must be just. The Irish were an acute and discerning people, and would soon detect the bad qualities of the Bill. He was not prepared to support the hon. and learned member for Kerry in all his amendments, but he should certainly support the motion for giving the franchise to 40*s*. freeholders in fee.

Mr. *Henry Grattan* deprecated the original disfranchisement of the 40*s*. freeholders, and maintained that no measure of Reform could be permanent which did not extend the franchise to a similar class of persons. The people of Ireland demanded nothing more than the people of this country had obtained—they would be satisfied with nothing less. He should join with his hon. friend, the member for Kerry, in taking the sense of the House upon the question.

Sir *John Newport* could not understand upon what ground the 40*s*. freeholders in fee in Ireland were to be excluded from the elective franchise, while the 40*s*. freeholders in fee in England were allowed to exercise it. When the 40*s*. freeholders in Ireland were deprived of the franchise, it was on the ground that they were subject to improper dictation; but that objection could not be said longer to exist. There were other parts of the Bill to which he objected. The registration was bad. Why was not the plan pursued in Great Britain adopted? Then, why had the Irish freeholder to be subject to a greater fine than the English? Ireland was the poorer country, and, if there was any difference, that difference ought to be in favour of Ireland. If his memory served him rightly, the right hon. Baronet (Sir Robert Peel), at the time of the discussion of the 40*s*. freeholders, objected to the retention of the 40*s*. freeholders in fee, on the ground that it might be considered as giving an unfair advantage to Protestants.

Lord *Althorp* regretted greatly being obliged to differ from his right hon. friend who had sat down, but upon the present occasion he felt it to be his duty to support the Bill as it stood. Under the present law the 40*s*. freeholders in Ireland did not enjoy the franchise, and it was for those who supported the instruction of the hon. and learned member for Kerry to show that some great practical evils resulted from that being the fact. Throughout the question of Reform, the Government had aimed at the removal of practical grievances and abuses, and not at mere points of theory. He had been induced to accede to the abolition of the franchise of the 40*s*. freeholders of Ireland, in order to obtain the Emancipation Bill, which he had deemed a by far more essential measure, but he must still be allowed to observe that they were a very different class of persons from the 40*s*. freeholders of England. He could only assure the House that if the new mode of registering votes were found to work well in England, he should then be of opinion that it would be proper to apply the system to Ireland, but as the system already established in Ireland was found practically to answer all its purposes, he must confess that he could not see that it was either necessary or prudent, at present, to alter it. He esteemed it safer to keep the system already in existence than to make a doubtful experiment.

Mr. *Maurice O'Connell* must remind the noble Lord, that the present system had existed in Ireland only three years, and the Irish were now only asking what they had possessed as a right previous to that time, when what was termed the Algerine Act was imposed upon that country. He recollected when the Assistant Barrister of Clare had been sent, in 1829, in order to register the votes, and, having been employed as counsel he was personally aware of the gross injuctice inflicted in many cases under the system. Persons were thrown out of their franchise on a calculation of small fractions, and these were not "squatters," as they had been termed, but industrious men, who by their exertions had acquired their property. The objects of a poor man's ambition were taken away by the system in Ireland, and when the noble Lord said, that he would first try the new system in England, and then apply it to Ireland, he could only reply, that he wished that the Government had always tried their Irish measures in the first instance in this country.

Lord *Althorp* explained. He had applied what he had said to the system of registration, and not to the right of voting.

Mr. *Wyse* was in favour of the Amendment, and said, that to deprive the *bona fide* 40*s.* freeholders in fee of a franchise, was to do that which could not but promote a spirit of discontent. If his Majesty's Ministers were again to enfranchise the 40*s.* freeholders in Ireland, they would not only be doing an act of essential justice to the Irish, but they would be consulting the best interests of the people of England. He could never bring himself to agree with the right hon. Secretary for Ireland, that no persons ought to be enfranchised but those who were not in a situation to be acted upon by agitators. Whilst wrongs existed, he should despise the country that did not possess agitators. As long as the people of Ireland were deprived of their privileges, he trusted that they would be agitated. The Bill could be final only if it were passed in a manner satisfactory to the people, and the Ministers ought to look to the affections of the people as the best of all securities to the institutions of both kingdoms. He was persuaded that the Bill would leave behind another question to be settled—another appeal from Ireland; for the Irish never would be satisfied until they obtained their full and equal privileges as a part of the united empire. Let the Irish have their equality in that House, or they would set up a House of Commons for themselves.

Mr. *Hunt* was sorry to see, that the noble Lord was disposed to resist the wishes of the people of Ireland, though he must observe, that not one Irish Member had stood by him when he had supported the rights of the people of England; and yet they expected support in the present instance from the English Members. When he had opposed the English Reform Bill, he had been accused of throwing impediments in the way of Reform, and even of selling himself to the Tories, but now he found that the Irish Members were following his example, in opposing the Bill for Ireland. They now wanted for Ireland what he wanted for England, and he would now say to the Irish Members what they had said to him, "Pray take what you can get; take the key, and all the rest will follow." The House would find, that all the Tories would join the Whigs now that the object was to contract the franchise of the people of Ireland. He could not tell on what principle the 40*s.* franchise was withheld from Ireland and continued in England. The people of Ireland had been most shamefully robbed of their franchise by the English House of Commons; and now the noble Lord argued, that the 40*s.* franchise was not the law of Ireland. This appeared to him very much like knocking a man down, and then abusing him for not standing upright on his legs. The noble Lord's word had become a decree in that House, and he knew the Bill would pass as a matter of course, since its object was to contract the liberty of the people. He revered the rights of the people of Ireland; for when he was in Ireland he had been treated as a brother. With respect to the English Reform Bill he must say, that throughout the country, wherever he had been, he had not met with one single agriculturist who did not anticipate that there would ensue from the Bill a repeal of the malt duty and an abolition of tithes. Among the manufacturers the opinion was, that the Reform Bill ought to be denounced altogether if it did not lead to a repeal of the Corn-laws. One man expected to get tea at half price, and tobacco for nothing; servants expected new clothes from it, and to be made mistresses. It was to repeal the malt duties, and knock off the assessed taxes. He knew that these were false and exaggerated expectations, but nevertheless, they were entertained. As he was always ready to promote the extension of the suffrage, he should cheerfully vote for the Motion.

Mr. *James Grattan* said, that with respect to the observation of the hon. member for Preston, as to the conduct of the Irish Members towards that hon. Member, on the question of the Reform Bill, he begged to say, that there had been a certain degree of coquetry between the hon. Member and certain Gentlemen of avowedly opposite principles, which had induced the Irish Members, who did not quite understand what it meant, rather to attach themselves to those who had introduced the measure of Reform, and whose conduct they could comprehend, than to any hon. Member whose conduct they might think at least somewhat suspicious. With regard to this particular question he should certainly support the Motion of the hon. member for Kerry; because, under all circumstances, he had been opposed to depriving the 40*s.* freeholders in Ireland of their votes, and he must consistently adhere to that opinion. He took that opportunity of thanking the noble Lord for having stated that he should be willing, at another time, to listen to suggestions for the improvement of the registration system in Ireland.

Mr. Young supported the Amendment.

Mr. *Sheil* had never been a party to the compromise on the subject of the disfranchisement, and he thought that in a Reformed House of Commons the same proceedings ought not to be adopted. The noble Lord (the Chancellor of the Exchequer) had given his assent to the disfranchisement with the greatest reluctance, and he could not now pretend to say, that the compact had been entered into with any understanding that no subsequent change was to be effected. He felt convinced that the constituencies of England and Ireland ought to be assimilated. The change, if it did nothing else, would assert an abstract principle which ought to be sustained. The present Lord Chancellor of England had voted against the disfranchisement of the 40*s.* freeholders of Ireland, and he would appeal to the House, whether Ministers had not now a fair and eligible opportunity to restore them. The constituency of England would be extremely numerous, compared to that of Ireland; and all he argued for was approximation, seeing that he could not get identity. It had been said that the Irish Members had been consulted by Government in the construction of the Bill; but they had obtained nothing by it, for their suggestions had not been attended to. He would press Ministers to consider the whole case, with a view to the permanent interests of the country. The Bill would occasion everlasting complaints, and he wished it to be so framed that it might be final. He would say to the English Members, for God's sake yield to us in matters where no injury can occur, and where by yielding you go so great a way towards conciliating the people of Ireland.

Lord *John Russell* said, as a reference had been made to what had passed during the discussion of the Roman Catholic Relief Bill, when a compact was entered into to abolish the 40*s.* freeholders in Ireland, he wished to say, that he, though averse from the disfranchisement, voted for it, in order that the boon of emancipation, so long withheld, might at length be granted. Without the abolition of the 40*s.* freeholders, that measure would neither have met with the sanction of the Legislature nor the assent of the Crown. Knowing that he had given his assent to it, though with great reluctance, if it were now to do, he certainly would not consent to it, but, having been done it was not now fit to restore what had then been withdrawn. The question of close boroughs in Ireland stood upon entirely different grounds, as during the debates on the Relief Bill no engagement regarding them had been entered into, nor were they ever mentioned in the discussion. It was said, that the views of the Irish Members as to this Bill had been wholly disregarded, but the wishes and remonstrances of the Irish Members, before the Bill was framed, had been attended to; and he would particularly instance the point regarding leases. He regretted that the hon. and learned member for Kerry appeared to make a charge of a disposition on the part of his Majesty's Government to withhold from the people of Ireland the same boon which they were ready to grant to England. That hon. Member advised the House not to refuse concessions, by doing which they would irritate the public mind in Ireland. He (Lord John Russell), on his part, would advise the hon. Member, in common with others, not to raise the idea that every proposition in this measure was framed in enmity to Ireland.

Mr. *James* declared, that he had often

regretted that he had voted for the 40*s.* disfranchisement bill; and the best atonement he thought, he could make was, to vote for the amendment of the member for Kerry.

The House divided on Mr. O'Connell's Motion:—Ayes 73; Noes 122—Majority 49.

Mr. *O'Connell* then rose for the purpose of moving another Amendment, which, he said was of a similar character, and had for its object the restoration of those freeholders to their franchise whose freeholds were of the annual value of 4*l.* and upwards, the profit upon which was one-third of the rent, and the fine upon the fall of any of the lives not more than 2*l.* He stated that he had brought forward his propositions in the present stage, in order that he might register on the Journals that the rights of Irishmen had been claimed and refused. He must complain that the noble Lord (Lord John Russell), instead of giving Ireland any real and substantial benefit, had dealt only in soft smooth words, which would by no means satisfy 7,500,000 people. While the noble Lord gave a liberal franchise to England, he gave only honeyed sentences to Ireland—he was a Reformer in England, and a continuator of abuses in Ireland. The English Catholics, too, were to be found voting against the people of Ireland on this occasion, forgetting who it was that had emancipated them, when they were afraid even of their own shadows, when they would have been glad to accept even the office of Justice of the Peace. When he saw the English Catholics going out of the House, in company with the Orange member for Sligo (Colonel Perceval), for whom as a private gentleman, he had the greatest respect, he could not help wishing to see them unemancipated again, for their gross ingratitude to those who had restored them to their liberties. The English Conservatives and Irish Orangemen were, on this occasion, supported also by the noble Lord, the Secretary for Foreign Affairs, who, in 1829, reprobated the disfranchisement of the 40*s.* freeholders, and voted against that measure. If he (Mr. O'Connell) could remember the language in which the noble Lord formerly defended those freeholders, he should be able to make for them a better defence than he could make by any effort of his own composition. As a reason for refusing to restore the franchise to these freeholders, it had been asserted by the right hon. Gentleman opposite that they had "squatted" on the Commons and that they held their tenures by right of conquest. But he would tell those right hon. Gentlemen, that men of more foresight than was possessed by the framers of the Reform Bill, had three times purposely driven the Irish people to ineffectual rebellion, by measures which, considering the spirit of the age, were not more irritating than the measures of the right hon. Gentleman. By such means the soil of Ireland had been three times conquered, and he believed that the family of the right hon. Gentleman had been made nothing the poorer by the process. It seemed, therefore, to be no very weighty argument against the rights of the 40*s.* freeholders that they had "squatted" upon the commons. However, the amendment which he had now to propose was not liable to such an objection, as the persons to whom it would give the franchise were not squatters or invaders, but they held their lands by compact with the proprietors. Neither could it be argued that to enfranchise them would be to extend the constituency too widely; and yet, if that were so, he should not admit that the argument, in this case, would be of any weight, because he thought that it was a wise policy to encourage the people as much as possible to acquire property of the kind to which his Amendment referred. He concluded by moving, "That it be an instruction to the Committee to insert a clause restoring the franchise to persons holding freeholds of the yearly value of 40*s.*, provided that such freeholds be not liable to a greater fine than 40*s.* or to an annual rent exceeding 4*l.* sterling."

Lord *John Russell,* in reply to the allusion which had been made to him by the hon. and learned member for Kerry, would only say, that, in the course which he had taken on the occasion of the disfranchisement of the 40*s.* freeholders, he had been influenced by the conduct of the majority of the Irish Members who were at that time in Parliament, and amongst whom were Gentlemen as well acquainted with and as much attached to, the interests of Ireland as the hon. and learned Gentleman could possibly be. In that case, and in his conduct respecting the emancipation of the Catholics, he had acted in the way in which he thought that he could best promote the interests of Ireland, and so he had always acted, and always would act, upon every question relating to that country, whatever might be the opinions of the hon. and learned member for Kerry.

Mr. *Philip Howard* had voted with his hon. friend the member for Kerry, upon his previous Motion, because he thought it most desirable to assimilate, as much as possible, the institutions of Ireland to those of Great Britain; and the Motion of the hon. and learned Gentleman seemed to him calculated to remove every shadow of a pretext for the measure which that Gentleman himself (Mr. O'Connell) had for some time past been calling for, and which to him (Mr. Howard) seemed to be most detrimental to the interest of the two countries, to which the statesman should address the words of the poet—

"Connubio jungam stabili propriamque dicabo."

The precision of the test of qualification for ascertaining a 40*s*. freehold in fee, obviated the many valid objections which were recorded in the evidence taken before the House in 1825, against that species of fictitious freehold which had led to many abuses. He was certainly most anxious to repudiate the idea that those who, like himself, had in England participated in the benefits of the measure of 1829, were confederated with the opponents of Reform to crush the rising spirit of freedom which animated the people of Ireland.

Lord *Althorp* said, that the motives which had induced him to oppose the previous Motion of the hon. and learned member for Kerry, must compel him to vote also against the present Motion; and he did not think that anything which had fallen from the hon. and learned Gentleman made it necessary for him (Lord Althorp) to occupy the time of the House further.

Lord *Milton* did not think that the reasons which his Majesty's Ministers had given for their opposition to Mr. O'Connell's previous Motion, were such as could be satisfactory to their own minds, and he was sure that they would not be satisfactory to the people of Ireland. If he thought that the success of the present Amendment would lead to the success of the other in the Committee, he would certainly support it; because he thought that it would give the greatest satisfaction to the people both of England and Ireland; and he therefore hoped that Ministers would be yet induced to reconsider that Motion. But as the adoption of the present amendment would not lead to the adoption of the previous one, he would oppose it; because, if successful, and carried into operation by itself, it would lead to the manufacture of votes, and throw the Representation into the hands of the great landowners.

Mr. *Ruthven* regretted the determination to which the House came upon the former Motion of the hon. and learned member for Kerry. To have acceded to it would have insured to them the gratitude of the people of Ireland, which they would have acquired at no cost to themselves. But it was impossible that the Reform Bill, without such an amendment, could be a final measure. The Bill would give so little satisfaction, that the Ministers and the House could expect no gratitude for it from the people of Ireland.

Lord *George Bentinck* said, that it was his intention to support his Majesty's Ministers upon this occasion, although, in 1829, he had voted against the disfranchisement of the 40*s*. Irish freeholders. At that time it was a question whether the House should destroy a franchise which had been in the possession of the people for several centuries; at present it was a question whether the House should create a new franchise. Now, in England they had not created a new franchise so low as 40*s*., and it was not arguing consecutively to say, that because the House had left the old 40*s*. franchise to the English freeholder, it was therefore bound to give a new 40*s*. franchise to the Irish freeholder. He would take that opportunity of asking the hon. and learned member for Kerry, who now maintained the rights of the 40*s*. freeholders with so much pertinacity, whether he had not, in the year 1829, at a meeting of Irish Members, held at Sir Francis Burdett's, agreed to surrender the rights of these very freeholders? [Mr. *O'Connell*: No.] He was bound to consider the contradiction of the hon. and learned Gentleman correct, but he certainly had understood that the hon. and learned Gentleman had done so.

Mr. *O'Connell* begged leave to set the noble Lord right as to a question of fact. At the time to which the noble Lord referred, he (Mr. O'Connell) had strenuously opposed the disfranchisement of the 40*s*. freeholders. There was a meeting of the Members friendly to Catholic Emancipation, at the house of Sir Francis Burdett, for the purpose of considering the expediency of supporting the disfranchisement bill, and two gentlemen were sent to that meeting by the deputation from the Catholic Association, to protest against the acceptance of emancipation upon the condition that the 40*s*. freeholders should be disfranchised.

Lord *George Bentinck* might be wrong as to the opinions entertained by the hon. and learned Gentleman on this subject in 1829, but of this he was certain, that in the year 1825, Mr. O'Connell, before the Committee appointed to inquire into the state of Ireland, agreed to give up the rights of the 40*s.* freeholders. He had at that time opposed their disfranchisement, because he considered it depriving the people of a right which they had long possessed. The hon. and learned Gentleman had accused the English Catholics of ingratitude towards the 40*s.* freeholders of Ireland, because they refused to support his present Motion. Now this charge of ingratitude came with a singularly ill grace from a man, who, though he had been returned to Parliament by their exertions, had, in the year 1825, agreed to disfranchise them one and all. The noble Lord concluded with a recapitulation of the reasons, which, as he had before stated, satisfied him of the propriety of now supporting his Majesty's Ministers.

Mr. *O'Connell* said, the noble Lord had tolerably well proved his consistency, by voting at one time one way, and at another time in an opposite way, upon the same question. If the noble Lord had heard him (Mr. O'Connell), when he, that evening, explained his views upon the present question, he would know that he (Mr. O'Connell) had not been inconsistent. The franchise which he was willing to give up in 1825, was a franchise derived from terminable freeholds, held for one, two, or three lives, and at rack rent. He then, as now, proposed to preserve the 40*s.* freeholds in fee, and in perpetuity.

Mr. *Henry Grattan* said, that if the noble Lord had read the Papers laid upon the Table, in connexion with the Irish Reform Bill, he would have found, that the amendment of the hon. and learned member for Kerry would not create a new class of voters, as there were no less than 4,711 of the present constituency 40*s.* freeholders in the towns. Yet, with this fact staring him in the face, the noble Lord came forward to say, that the question here was, whether we should create a new franchise. But here was a fragment of an old right in existence, and that fragment he was desirous of upholding. But when he saw the noble Lord opposing the English Reform Bill, he could not expect that he should support a measure of equal justice for Ireland.

Lord *George Bentinck*, in reply, observed that the disfranchisement which he opposed in 1829, was the disfranchisement of 40*s.* freeholders in counties only—not their disfranchisement as 40*s.* freeholders in counties of cities

Mr. *Stanley* said, that the noble Lord's argument was applied only to the freeholders in the counties, as they alone were disfranchised in 1829. The effect of the hon. and learned Gentleman's (Mr. O'Connell's) Motion, if carried into effect, would be, to cause a subdivision of holdings which now gave an independent constituency, into a number of freeholds which would give a most dependent class of voters.

Mr. *O'Connell* maintained, that the minute subdivision of votes, of which the right hon. Secretary complained, now existed in England, and yet it had not been urged as a reason for disfranchising the 40*s.* freeholders of England.

Viscount *Palmerston* wished merely to defend himself against the charge of inconsistency. In 1829 he opposed the disfranchisement of an existing body of electors; whereas, what he now opposed was, the creation of a new constituency.

Amendment negatived without a division.

Question put "that the Speaker do leave the Chair."

Sir *Robert Heron* said, that the principle of the Irish Bill was not disfranchisement, but enfranchisement. Five additional Members were, it appeared, to be given to Ireland. Regarding the allocation of four out of these five Members, there was no dispute; but with regard to the fifth, which gave a second Member to the University of Dublin, great diversity of opinion existed. He therefore intended to move, that it be an instruction to the Committee, to provide that the University of Dublin continue to return one Member only. If he succeeded in that motion he should then propose another, to the effect, that the city of Kilkenny return two Members to future Parliaments. Though he was willing to eulogize the system of education pursued in the English Universities, yet he must observe, that learning and erudition were not the best recommendations for a candidate for the Representation of our Universities, nor were the University Members, save one or two brilliant exceptions, remarkable for either the splendor of their eloquence or the profundity of their scholarship. He would, therefore, consider first, what claim the University of Dublin had to a second Member, compared with the other Universities of the kingdom; and, next, what claim it had when contrasted with other places in Ireland. Now as to the first point—the University of Dublin consisted of a single college; it had now a constituency of seventy-two members, and under the new Bill, that constituency would be raised to a number not much exceeding 200. But the University of Cambridge had 2,200, and the University of Oxford had 2,500 voters. He should be glad to know on what ground of learning, morality, or virtue, the University of Dublin could claim the right of having a Representation ten times as great as the Representation of the two English Universities? Again, if they went further north, they would find four Scotch Universities without any Representatives. Why, then, if literature were to be represented, was the additional Member to be given to the University of Dublin, which had one Member already, and not to one of the Scotch Universities, all of which were without one? Considering this question, then, with reference to the other Universities, he thought that the University of Dublin had no claim to this additional Member. Looking at the question, however, as a purely Irish question, he would request the House to reflect, that they had on the one side a constituency of 200 persons, who were to return two Members, and, on the other, the county of Cork, with a population of 800,000 persons, and a territory containing one-seventh of the whole soil of Ireland, which was to return only the same number; they had also the city of Kilkenny, with a population of 20,000 persons, and its suburb of St. Canice, with a population of 10,000 more, which was only to return a single Member; was that right, or just, or politic? But it had been said, that if the right of returning a Member to Parliament were given to either of these constituencies, a Catholic Member would be returned, and, that Catholic influence in that House would be greatly increased. Now, he was not inclined to yield belief to that argument; but, if the House were really afraid of the increase of Catholic influence, let them take this right from the University and give it to the city of Dublin—let them give it to Londonderry, or any other, the most Protestant place in the north of Ireland. To such a transfer he for one would not object. He would not, however, enter into that subject at present, but would content himself with moving, that it be an instruction to the Committee to provide that the University of Dublin continue to return but one Representative to Parliament.

Mr. *Robert Ferguson* objected to this plan for allowing the University of Dublin to return two Members, on account of the electors for that University being, for the most part, clergymen. They had recently had a very striking instance at Oxford of the revengeful manner in which the clergy could exercise their electoral privileges. There they had rejected an old Representative, who was at once a scholar, an orator, and a statesman, because he had had the good sense to abandon their obsolete and antiquated prejudices.

Mr. *Crampton* observed, that the question being between the University of Dublin and the city of Kilkenny, he should say nothing of the superior claims put forth for the English and Scotch Universities. He should confine himself entirely to the claim of the Irish University to a second Member. As the present question was merely a question of comparison, he would commence by correcting the errors of fact into which the hon. Baronet had been unintentionally betrayed. The present electors of the University of Dublin were not seventy-two, but ninety-six, and the electors under the new Bill would be, not 200, but 600; and in that number would be comprised men the most eminent for their attainments in law, physic, science, and divinity. The electors of the University of Dublin had at all times shown themselves a most independent body. They had returned Mr. (now Lord) Plunkett to Parliament, against the influence of the Government of that day, and on other occasions their choice had been equally independent. He would admit, that if any town were to receive a Member at the expense of the University of Dublin, the city of Kilkenny had as fair a claim as any; but he denied that the claims of that, or any other town, to an additional Member could be put in competition with those of that University. The hon. Member who last addressed the House, had grounded one objection to an additional Member for the University, on the conduct of the University of Oxford to the right hon. Baronet (Sir R. Peel). He (Mr. Crampton) admitted that no man had higher claims on that body than the right hon. Baronet, but, though he could not concur in the grounds on which the right hon. Baronet had been rejected, he must still take it as a proof of the independence of that learned body. In considering the question before them, the House should look to what had been the object of founding and supporting the University of Dublin. It was intended to support the Protestant interest in Ireland. Now it was said, that the present Bill gave too much to the Irish Catholics. He did not say so. He wished to see less distinction between the two parties, but as long as there were two religions in Ireland, it would not be presumed, he contended, that the political influence of both should not be fairly balanced. It would, however, be unfair to say, that the University of Dublin was exclusively Protestant. It was open to Catholics as well as to Protestants.

Mr. *Sheil* said, it is strange, that the Solicitor General for Ireland did not attempt to answer the argument drawn from the Scotch Universities. To Scotland eight additional Members are to be given; to Ireland five. Of the eight additional Members for Scotland, not one is awarded to her four unrepresented Universities; while it is proposed to allocate one-fifth of the new Representation of Ireland to her University, which is already represented. There are 2,000 students on the books of the University of Edinburgh; there are but 1,500 on those of Dublin College. The first is without a Member; is the second to have two? Do the interests of literature or of the country (for the question divides itself into these considerations) require that Dublin College should transmit to this House a second edition, or rather duplicate, of the learned Gentleman, by whom the feelings of his constituents are represented with so indisputable a fidelity—who compensates by his zeal for the singleness of his delegation, and of whom, in reference to the multiplicty of his accomplishments, it may be justly said, he is himself a host? The constituency of Dublin College is reduceable to three classes—the Fellows, the Scholars, and the Ex-scholars. Let us examine what benefit to science can be obtained by enabling any one of them to return two Members to Parliament. The Fellows are twenty-five; there are seven senior, and eighteen junior; the former have no pupils—their single duty is, to receive about 3,000*l.* a-year from the funds of the College; but it is to be presumed (although the University press does not corroborate the suggestion), that in return they are engaged in accumulating large masses of erudition, in enriching themselves with literary treasure, in opening new veins of intellectual wealth, in their moral, mental, and physical investigation. Their fortunate repose, so auspicious to the noble and disinterested pursuits, ought not to be distracted by a multifarious canvass and it is not desirable that they should be molested by two Members of Parliament whispering bishopricks in their ears. The minor Fellows earn their livelihood by their pupils, and some of them earn their pupils by their politics. They do not excel in the Professor's chair more than in the rostrum of conservative agitation: they have thus obtained a spurious ascendancy—their influence is as great as it is illegitimate—they command the return at elections—they are as renowned for their creation of a Member of Parliament as they are for the formation of Bachelor of Arts. One is, however, at a loss to see how the cause of literature, and those pursuits to which a University ought to be extensively devoted, will be promoted by widening the field of their ambition, by opening a larger career for their political influence, and enabling them to inflict a brace of delegates on this House. We come to the Scholars; among the Scholars there are, no doubt, several high-minded and independent gentlemen: but many are in such narrow circumstances as to be led into temptation. But it may be said, that the imperfection of this constituency will be remedied by allowing the Ex-scholars to vote. We have seen the school of political morality in which they have been nurtured. But who, and where are they? They are scattered over the world. How many of them will be assembled for an election? And who will pretend that any literary advantage will accrue from the septennial, or, if you will, the triennial, gathering of these literary estrays in Trinity College? But look at the political question. To give, as a part of Reform, an additional Member to a constituency of 150 persons (for there will be no more), is repugnant to the principles on which Reform itself is founded. Dublin College has now but ninety-five voters; the addition of Ex-scholars, making allowance for deaths and necessary absence, cannot amount to fifty, for the Irish Solicitor General is in this particular quite incorrect. You have determined that in England every borough, even the boroughs in schedule B, shall comprise 300 voters; and you are prepared to give two Members to the worst of all constituencies, containing a number less than that of the meanest parliamentary hamlet in the empire. This objection is fatal, but there is one still stronger; Roman Catholics are excluded from fellowships and scholarships. Is it not an offence to the feelings, and an injury to the rights of the Irish people, that you should, out of five Members, give one to an exclusive and sacerdotal corporation? Must one of the five—the miserable five, which you affect to give to Ireland—be thus prodigally and almost profligately thrown away? If you were to award us our due proportion, then the waste of one would be more excusable; but where your donation is so small (so small in comparison with our rights, and with your own dignity and honour)—where you have so little to give, give that little well—give it to the people, and do not degrade the entire endowment, by throwing part of it away upon a community of acrimonious religionists, with whom the people cannot sympathise, and who cannot sympathise with the people—who are characterized by monastic narrowness and the pride of priestcraft, and in whom all the virulence of faction, the virulence of domination, and the sacred rancours of polemics are combined. Whigs! why do you do this? What motive, what reason, what pretence can there be for this? Is it because Ireland has deserved so ill, and Dublin College has deserved so well, at your hands, that you are determined on offering a palpable affront to the one, by conferring this baneful favour on the other? One word more, and I have done. The Secretary for Ireland has not unfrequently vaunted of the division of the Irish Members, and in support of his measures (on tithes, for instance), he has appealed to the majority of Irishmen on his side. This test is not an unfair one; but let it not be monopolised, nor reserved for the hon. Gentleman's exclusive use. How do the Irish Members feel—how will they act on this Motion? Is there a man amongst them, who has ever voted for Reform, who will not strenuously remonstrate against this most unfortunate alteration? If I am wrong, pursue your course — adhere to your Cabinet decision; but if I am right (and am I not right?)—if to a man the Irish Members, who habitually support the Government, exclaim against this proceeding in the language of surprise, pain, resentment—then let me implore you, in a question exclusively ours, in which our feelings, our rights, our interests, are alone involved, to make Ireland some return for incalculable services and countless obligations, by yielding where there is every motive to yield to her entreaties, and to abandon the miserable policy of sacrificing your best friends to your worst antagonists, and to be true to us, in order that you may not be traitors to yourselves.

Mr. *Lefroy* said, if it were necessary for him to deal in tropes and figures, and in flights of rhetoric and fancy, he should, as member for the University of Dublin, be quite inadequate to the discharge of his duties, and unfit to come forward in support of its claims to additional Representation. He trusted, however, that he should be able to satisfy the House that these claims were well-founded. It was said, that some members of the college were devoted to conservative agitation. He was at a loss to know to what the hon. and learned Gentleman (Mr. Sheil) owed his seat in that House unless to agitation. He begged to remind the House, that the College of Dublin was maintained and endowed for the propagation of the Protestant religion. By charter, only Protestants could become Fellows or Scholars, but Degrees were conferred on Roman Catholics. There was, therefore, no ground to charge it with a want of liberality. He trusted that English Members were not yet sufficiently weaned from the Protestant religion to forget the sovereign by whom this University had been founded, and the object of that foundation. The constituency under this Bill would not be of the restricted and exclusive nature which was represented. There would be at least 700 Graduates, who, by the regulation proposed to be adopted, would participate in the franchise, among which number were several Bishops, four Judges, then on the Bench, and other distinguished persons. If, however, to the Ex-scholars, Masters of Arts were added, at the very least 1,300 or 1,400 voters would be added. And he did not see why it should not be so; for by selecting the Ex-scholars there would be something like a premium for assiduity and talent, while the addition of Masters of Arts would join to the constituency a vast number of individuals, who, although possessed of first-rate talents and abilities, had either failed in obtaining, or perhaps had not sought after the honour of scholarship. As to the proposition for extending the franchise to the Graduates at large, he would only observe, that its effect would be to create a constituency much more extended than that of any town in Ireland, on which the second Member of which the University was proposed to be deprived could be bestowed. Having said so much in reference to the nature of the constituency which was about to be formed, he begged particularly to call the attention of the House to the injustice which would be committed in refusing to accede to the proposition of Government in regard to the Member which they proposed bestowing on Trinity College. The original ground on which Members to the University of Dublin were allotted, as it was laid down in the charter of King James, was in reference to the general good of the Church, and with a view to the protection of the rights of that body. At the time that the University was enfranchised, also with a view to the protection of the Church interests, the borough of Armagh, to which the Primate of Ireland had always hitherto exercised the right of returning Members to Parliament, obtained Representation. In this manner the Church was enabled to assert its just claim to consideration in the deliberations of the Commons' House of Parliament. At the time of the Union one Member was taken from both the University and the borough of Armagh, thus depriving the Church of Ireland of two protectors. It was now proposed to open the borough of Armagh; consequently taking the presentation out of the hands of the Primate, and rendering it no longer a borough, the Representative of which would enter the House of Commons charged with the interests and rights of the Church Establishment. When, therefore, it was considered that the second Representative of the rights of the Church was about to be withdrawn from Armagh, he thought it was but fair and equitable that it should be transferred to the University of Dublin. Again, there was another reason in favour of the claim of Trinity College. It was to be recollected that twenty-five of the Irish boroughs, seventeen of which, under the existing system were close boroughs, were to be opened by the Bill; or, in other words, they were to be taken out of the hands of the agricultural and landed proprietors of the country, and placed in the power of the petty shopkeeper who rented a 10*l.* house. Such being the case, he thought it was but fair to give a Representative to the University, which, beyond all possibility of contradiction, contained, among its members, more of the property, intelligence, and respectability of the country than the aggregate of the boroughs as they would be constituted under the Reform Bill. A charge of bigotry had been made against the members of Trinity College, to which he felt anxious to reply. He denied, in the most emphatic terms that was consistent with parliamentary usage, the correctness of such a charge. There was no bigotry in the University of Dublin, unless, indeed, it were bigotry in a man to adhere consistently to the principles in which he was brought up, and to which, on reflection, aided by a matured judgment, he was conscientiously attached. On behalf of the body in general he, although an humble individual, repudiated the charge, and threw it back on its originator as utterly unfounded. He did not wish to detain the House at such a late hour, but the situation in which he stood towards the University rendered it incumbent on him to rise in his place, and undeceive the House in regard to what he could not but term the most unfounded and illiberal assertions he had ever heard uttered. He should, indeed, prove an unworthy Representative, and verify the allegations of an hon. Member that he was so, if he did not stand up in his place in defence of the character, the interests, and the just rights of the body who had done him the honour of sending him to that House. The hon. member for Louth stated, that the University was composed, for the most part, of individuals who had entered the world in a spirit of literary adventure. He did not know whether English Members would be disposed to consider it any stigma in an individual to have entered the world in such a spirit, but he knew that there never, in any country, or under any circumstances, breathed a more pure, generous, or noble spirit than that of which the hon. and learned Member thought proper to speak so lightly. There were several other topics to which he felt desirous of alluding, but as the hour was late, and the House extremely impatient, he would content himself with the few observations with which he had troubled them. He would sit down, expressing an earnest hope that nothing which had been heard in opposition to the proposal of Government for giving two Members to the University of Dublin, might operate on the decision of the House, and induce hon. Members at the present moment, when open and undisguised attacks were levelled at the Protestant Church, the interests of which, it was much to be feared, would be perilled by the Bill, to forsake that body, which every well-wisher of the Constitution of the country, and every supporter of those sacred laws which had been handed down as the guide of our moral conduct, should ever struggle to maintain.

Mr. *O'Connell* said, that as he had not an electioneering speech to make, he should not find it necessary to trouble the House at any length. In the first place he begged to say, he could not give the University of Dublin much credit for that spirit of liberality of which the hon. Member (Mr. Lefroy), in its behalf, so proudly boasted. The manner in which that spirit of liberality was proved to exist in the body was rather strange. The hon. Member (Mr. Lefroy) expatiated at some length on the condescension of the College, in permitting Roman Catholics to take a Degree, but in the same breath told the House, that that Degree to which they were so admitted, was universally known to be worth nothing. And so it was. With respect to the question which the House was at that moment engaged in discussing, he had only to say, that he sincerely hoped Ministers would support the granting of the second Representative to the College, for, unless they did so, they would not preserve their consistency, a commodity of which, if not in practice, at least in theory, he was a great lover. He was particularly anxious that the right hon. Secretary for Ireland should vote in favour of the second Member, and all to preserve his consistency. He thought that the right hon. Gentleman had, in his Tithe Bill, trampled in the most barefaced manner on the principles of the Catholic Relief Bill, and he hoped the right hon. Secretary would prosper in the line which he had drawn out, and in every possible degree increase the Representation of a perfectly and notoriously exclusive body. For his own part, his consistency was of such a nature, that if a proposal was made to give the Member proposed to be bestowed on Trinity College to Maynooth College, he would oppose it, for two reasons; first, because it would be in opposition to the principles of the Relief Bill; and secondly, because he was at all times adverse to giving a Member to a narrow literary body. In the annals of profligacy and corruption, greater profligacy and corruption could not be found than took place at the contested elections for the University, as was proved before the Irish House of Commons. He would also oppose a proposition to the effect, that the franchise in the University should be intrusted to the Graduates, for a constituency formed of that class would be the most extensive of any in Ireland, and, from the character and nature of the occupation of the individuals of which it was generally composed, would entail at every election enormous expense on the candidates. In sober sadness he asked, what was the meaning, what the object, what the contemplated result, of that mockery and delusion of a Reform Bill, which, while it gave but an increase of five Members altogether, bestowed one on an exclusively Protestant body, with a constituency of about 150 individuals, while the remaining four were to be distributed among large and important towns, with 8,000,000 of constituency?

Mr. *Stanley* said, he could give the hon. and learned Gentleman an assurance which would, no doubt, afford him pleasure, namely, that his Majesty's Government would act with consistency on the present occasion, and intended to persevere in that which, when they brought in the Bill, they felt to be claimed by justice from them. He congratulated the hon. and learned Gentleman on the skill with which he verified his own prophecies, declaring that the Bill would be supported by the Tories, and then insuring to it that support, by proposing something which must be viewed as infinitely more dangerous than its provisions. He trusted that there would always be found, at either side of the House, reasonable persons to resist the dangerous extent to which the hon. and learned Gentleman would carry his measures. He did not hesitate to avow, that in considering this measure, his Majesty's Government had regard to the University of Dublin being a Protestant community. He should be sorry to see the Protestant Establishment without its just weight, and should always desire to see Cambridge and Oxford adequately represented, not only because they were literary, but also because they were Protestant Institutions. He wished that there were no distinctions between religious sects in Ireland; but his Majesty's Government were bound to look at things as they found them, and it could not be disguised, that a considerable addition was given by this Bill to Catholic influence. They did not feel, therefore, that they were doing any thing unreasonable in throwing into the scale of Protestant influence one additional Member. With regard to the degree to which the franchise ought to be extended, there had hitherto, and there did then exist, among several individuals well informed upon the subject, a great difference of opinion, and, as it then stood, he begged to say, that it was a question upon which Government did not feel themselves bound to adhere to the arrangement which they had originally proposed. Whether the better course would be, to give the franchise solely to the Ex-scholars, or to unite them with the Masters of Arts, still remained open for discussion. It was to form the subject of a motion of his hon. friend, the member for Mallow, and he, therefore, regretted that the subject had been brought forward now as an instruction, instead of coming on in the regular course in the Committtee, when it could receive full consideration. He should support the proposition of an additional Member to the University, but should leave it to the House to decide whether they should give the constituency to the Ex-scholars alone, or should add the Masters of Arts. He thought he might, however, as well say, that as far as regarded the respectability and talent of the voters, and the vindication of the rights of the University and the Church, with which that body was closely identified and connected, one description of franchise would operate quite as well as the other.

Mr. *Henry Grattan* objected to giving an additional Member to the University, as tending to keep up that exclusive spirit which had already been so productive of evil. He affirmed that the whole of this arrangement was the result of a plot, and that the Duke of Cumberland was at the bottom of the plot. He would say that fearlessly, and whatever hon. Gentlemen might think of it. The Duke of Cumberland was Chancellor of the University, and that gave him great influence.

Lord *Althorp* did not think that Government could fairly be accused of keeping up the exclusive system in Ireland, by conceding an additional Representative to the University of Dublin. He would fairly and candidly confess, that he thought that a Member should be given to the University, on the ground that it was an exclusively Protestant body, because, although it might be very well not to have an exclusively Protestant Representation for Ireland, it would be the height of injustice not to guard against the preponderance of an interest at variance with that of the Established Church. He hoped that hon. Members would give their support to Government in the event of a division, for he thought it very essential to the success of the Bill, that no alteration should be made in it which might have a tendency to injure the establishments of the country.

Mr. *Yates Peel* was glad to find that it was the intention of Government to persevere in their proposal to increase the Representation of the University of Dublin, as he thought that, without such increase, the Irish Church Establishment, and the interests of the Protestant religion in Ireland, would not be consulted.

Mr. *Wyse* was in favour of the Amendment, and regretted the declaration of the right hon. Secretary for Ireland, which, he conceived, went to make a distinction between Protestant and Catholic.

Mr. *Croker* thought it extremely unfair to accuse the right hon. Secretary of introducing a distinction between Protestant and Catholic, for the distinction had been first, in the broadest manner, drawn by the hon. member for Louth. He had stood three contested elections for the University of Dublin, and, from experience, could assure the hon. member for Meath, that the Duke of Cumberland, although its Chancellor, interfered in no degree whatever in its internal politics.

The House divided on the Amendment:—Ayes 97; Noes 147—Majority 50.

The House went into Committee *pro forma*—resumed, and Committee to sit again.

HOUSE OF LORDS,

Thursday, June 14, 1832.

MINUTES.] Bills. Read a second time:—Representative Peers for Scotland; Churches Building Acts Amendment; Norfolk Assizes. Read a third time:—Privy Seal.

Petitions presented. By the Earl of DENBIGH, from Chelsea, to enforce the due Observance of the Sabbath Day.—By Lord KING, from Caister and Kirton in Lindsay;—by Viscount MELBOURNE, from Poole;—and by the Earl of DERBY, from Hinckley,—against the Punishment of Death.—By the Earl of RADNOR, from four Places in Ireland;—by the Marquess of LANSDOWN, from Weymouth and Melcombe Regis;—and by the Marquess of WESTMINSTER from Chester,—in favour of the Ministerial Plan of Education (Ireland).—By the Earl of WICKLOW, from Swords;—by the Archbishop of YORK, from the Presbytery of Edinburgh;—and by the Marquess of LANSDOWN, from certain Inhabitants of Melcombe Regis and Weymouth,—against that Plan.—By the Earl of RADNOR, from Limerick, and another Place, against Tithes.

CHURCH PROPERTY.] Lord *King*, in presenting a Petition from Beominster (Wilts), against Tithes, declaring that Church property was the property of the public, of which Parliament might dispose in that way which it might consider most advantageous to the public interest, said, as there were several Prelates present, he would take that opportunity of noticing a declaration made on a former occasion by a right rev. Prelate (the Bishop of London), who denied that the property of the Church was public property, or that the Legislature had a right to interfere with it. That right rev. Prelate had asked, if a man had charged his estate with a certain sum for the maintenance of a clergyman, would he

(Lord King) disturb that charge, or think that the Legislature should interfere with it? He (Lord King) would admit, that the Legislature had no right to touch it. But this case bore no analogy to the question of Church property as it now stood. But supposing that the major part of it had been the gift of pious individuals, even in that case the Legislature had a right to interfere, if the property had been diverted from the objects for which the pious donors had bestowed the property. The manner in which the property of the Church had been disposed of at the Reformation, and at the Revolution, showed that it was considered public property. But as the right rev. Prelate had put a question to him, he would put a question to the right reverend Prelate, in his turn. He would suppose a case—it was a case merely hypothetical, and which, of course, was in the highest degree improbable. Suppose that the Bishops of our Church were to become political characters, and were to take a very decided part against the general feeling of the country; so much so, as to become unpopular and odious to that degree, that they could scarcely show themselves in the public streets, or even appear in their own pulpits; and suppose that, in consequence of their political conduct, it was deemed expedient that they should be deprived of their temporal power, and further, that they should be deprived of their seats in that House; and suppose further, that it should be deemed expedient to change the whole discipline of the Church, and to abolish the hierarchy, and establish a presbytery in its stead, would it not follow that the present holders of Church dignities and Church property would be obliged to relinquish those dignities and that property, if they refused to conform to the new state of things? Undoubtedly it would; for, if the State had a right to make such changes (and who would question that right?), it would have a right also to arrange and dispose of the Church property in conformity with them. But could this be the case if the property of the Church were to be considered solely as private property? The property of the Church, he contended, was originally given for the general purpose of promoting Christianity itself. During the dominion of Popery in this country, no other form of Christianity was permitted to be publicly preached or taught; and for a long time after the Reformation, the Church of England kept up the same intolerant spirit; but now, all civil distinctions being removed, and all men being equal in the eye of the law, without any reference to their religion, it might well become a question for consideration, whether the property originally given for the general promotion of Christianity, ought not to be divided amongst the various Christian sects in this country; and the more so, as it was well known that the great body of the inhabitants of this country did not belong to the established Church. With these remarks, he would now move that the petition be read.

The petition read.

The Bishop of *London* said, that as the noble Lord had taken three weeks to answer his one question, he might take three weeks to answer the questions put to him. He would not enter into the answer now, not that he was unprepared to do so, but that he felt, and their Lordships must feel, the inconvenience of entering into discussions on presenting petitions, for which more fit occasions would come hereafter. He would, therefore, content himself, for the present, with denying the opinion attributed to him by the noble Lord, that the Legislature had no right to interfere with Church property. He admitted that Parliament had a right to interfere with it, as far as regulation, and as seeing that those who received it did the duty for which it was given.

Petition laid on the Table.

NORFOLK ASSIZES REMOVAL BILL.] Lord *Suffield* rose to move the second reading of this Bill. The object of it was, to substitute Norwich for Thetford as the place of holding the Assizes for the county of Norfolk, and the substitution was most earnestly wished for by a large majority of the magistracy of the county, and by five-sevenths of the population. Men who differed widely on all public questions, were all agreed on this point. The inconvenience of holding the Assizes at Thetford, situated as that was in one corner of the county, and removed from the chief seat of the population, was very great; while many advantages would accrue by holding them at Norwich, a large manufacturing town, from the neighbourhood of which the greater number of prisoners came to be tried; the prisons, and other necessary, accommodations were very good at Norwich, and very defective at Thetford. He concluded by moving that the Bill be read a second time.

The Duke of *Grafton* opposed the Bill. It was not required, for, if the object it proposed to accomplish were necessary, the Judges had the power to order the change. The law gave them that power, and it was not prudent in the Legislature to interfere with it. The Lent Assizes for Norfolk had been held at Thetford for 600 years. He moved that it be read a second time this day six months.

The Earl of *Rosebery* supported the Bill, and said, that his views of its propriety coincided with those of his noble friend who moved the second reading.

Lord *Tenterden* thought this Bill unnecessary; for, though the Magistrates of the city of Norwich had never exercised the power, the Judges of England had held unanimously, that under the charter of that city the Magistrates and the Recorder had the power of trying prisoners for capital felonies committed within their jurisdiction. If prisoners were confined there for an unreasonable length of time, that was, therefore, the fault of the Magistrates, and not of the Assizes being held at Thetford.

The House divided on the original Motion:—Contents 32; Not Contents 21—Majority 11.

Bill read a second time.

Seats in Parliament Bill.] The Marquess of *Northampton* rose to move the second reading of the Bill for repealing so much of the Act of Settlement, passed in the reign of Queen Anne, as rendered it necessary for Members of the House of Commons to vacate their seats on being appointed to certain Ministerial offices under the Crown. This measure was intimately connected with the great measure of Reform, which had lately become the law of the land, and might be considered a sort of appendix to it. The measure was certainly one of very considerable importance, and he felt the weight of the consideration, that it, to a certain extent, interfered with the Act of Settlement; but he thought that such a measure as this became highly expedient since the settlement of the great question of Reform. He had himself been decidedly opposed to Reform, down to a recent period; but, after what had occurred throughout the whole country, and after the declaration made by a self-condemned House of Commons, he felt that concession could no longer be resisted. He also felt, that with a view to a satisfactory adjustment, the question ought to be brought forward by his Majesty's Government, as now constituted—by men who were honest and sincere in the cause. It was certainly much better that the question should have been settled by the authors of the Reform Bill, who deemed the measure expedient and necessary, than by others who were adverse to it. At the same time, he intended to have proposed some amendments in the Reform Bill, and this was one of them, and he had been induced to postpone it only in the hope that it would be carried into effect by a specific bill. He would consider, first of all, the arguments which might be urged in support of his measure, and he would then proceed to refute the objections which might be advanced against it. The necessity of Ministers vacating their seats, whenever they accepted office under the Crown, was accompanied by some difficulty and inconvenience. When an individual accepted high office, he must at first be ignorant of the details of office; and it was, therefore, important, not only to himself, but also to the public, that his entire and immediate attention should be directed to his new duties. It was, therefore, a great inconvenience that, when he ought to be attending to public business, he was obliged to be attending to the success of his election. That inconvenience might also be increased by accidental circumstances. If it was an inconvenience, when a single Member of the Administration was changed, how much was that inconvenience increased when a whole Administration was changed, and new men were called upon to take their situations? An individual might be called upon to take the office of Secretary of State for Foreign Affairs in the midst of a very difficult negotiation, or the office of Secretary of State for the Colonies in the midst of an insurrection in the West Indies, or the office of Secretary of State for the Home Department in times of excitement, like those of the last three weeks; and would it not be productive of great public detriment, if, at such a time, such an individual should be obliged to go to the most distant part of England, Scotland, or Ireland to secure his return to Parliament? The present state of the law led also to another inconvenience. It might interfere, and, in point of fact, had interfered, with the choice of the Crown in appointing its Ministers, for individuals had declined to take office, because they would be compelled to vacate their seats, and so be exposed to a ruinous and vexatious opposition. The consequences of the present state of the law might also be dangerous, for, in a case of excitement like that which prevailed during the last three weeks, it was important that Ministers should be in their places in the House of Commons, and should not be driven away from them, merely because their presence was most wanted. If such was the mischief which might take place now, let the House consider how much it would be increased under the Reform Bill. It had been said, that his measure would alter a great Constitutional provision; but then it ought not to be forgotten, that the Legislature had altered, and altered greatly, the Constitution. What was stated to be the reason for that constitutional provision? That a Member of Parliament, when appointed to office, was not in the same situation as when he was elected; and that, therefore, it was fitting that his constituents should have an opportunity of showing their concurrence in his appointment to office. He did not propose to repeal the present law, except in cases of appointment to high office, for the individuals who obtained such office were not placemen, but the leaders of parties; and, with regard to them, their constituents must know, that even at the time of their election, they were inclined to take a share in public business. It was said also, that the practice which he proposed to abolish operated as a check to the power of the Crown; but, unfortunately for that argument, it happened that the check never came into operation, except when the power of the Crown was weakest. Some persons maintained that the appeal to the people afforded a criterion of the popularity of the Minister. That criterion appeared to him to be absurd and false. It was in the highest degree absurd to suppose that three or four towns or counties, as the case might happen to be, were to be considered as representing the feelings of the whole of the United Kingdom. Because, some time since, a right hon. Gentleman, on accepting the office of President of the Board of Trade, lost his election for the county of Clare, would it not have been monstrously unjust to argue from that circumstance the unpopularity of the Ministry to which he belonged, not only in Clare, but throughout the whole of England, Scotland, and Ireland? That election had nothing whatever to do with the question of the popularity of the Ministry for the time being. He would remind their Lordships of a stronger case in illustration of this argument. It was impossible, he thought, to deny, that at the last election the present Ministers were extremely popular, on account of their advocacy of the Reform Bill, and yet, if the proceedings of particular bodies of electors were to be taken as the criterion of their popularity, it might be inferred that they were disliked by the country; for, in one instance, a right hon. Gentleman, holding a high office in the Government, on appealing to his former constituents, in the great commercial town of Preston, was defeated by an individual who had never sat in Parliament before. A noble Lord, also a Member of the Government, lost his seat for the University of Cambridge. A noble friend of his carried his election in the county in which he (the Marquess of Northampton) resided, by a large majority, owing more to the esteem in which his character, as well as that of his venerable father, was held, than to any political consideration. The party struggle took place between two other candidates, one of whom held a principal office in the Government, and the voting for them was nearly equal. If, therefore, the manner in which Ministers were received by some portion of the constituent body at the last election, were to be taken as a criterion of their popularity, it would lead to false inferences, and therefore it would be better not to have it at all. He was not aware that any other argument could be urged in favour of leaving the law as it at present stood. He would now state the offices which he proposed to exempt from the operation of the Act of Queen Anne. They were—first, all the great offices usually held by Cabinet Ministers; and, secondly, by what might be called the principal Law Officers, the presence of the persons holding which was generally supposed to be necessary in the House of Commons. He had not decided whether the office of Secretary at War ought also to be inserted in the Bill, but this was a question which might be considered in Committee. He concluded by moving that the Bill be read a second time.

The Duke of *Wellington* said, there could be no doubt whatever, that some measure of this description would be necessary, in consequence of the passing of the Bill which had occupied so much of the time of Parliament; but it appeared to him, that the Bill of the noble Marquess was but half a measure, because it provided for only half of the inconvenience likely to result from the Reform Bill. Moreover, he objected to the Bill being brought forward by the noble Lord in his individual capacity. As the Bill was intended to remedy certain inconveniences arising out of a measure which Government had brought forward, he conceived, that it was the duty of the Government to introduce it as a Government measure, and to recommend it to both Houses of Parliament upon their responsibility. The noble Marquess must be well aware, that the object of his Bill was to repeal a part of the Act of Settlement, and of other Acts founded upon the Act of Settlement. This surely was no light matter. Under these circumstances, considering the importance of the subject, and seeing that the principal Minister of the Crown was not in his place, he thought that the noble Marquess ought to postpone the second reading of the Bill. If the noble Marquess would call upon their Lordships to agree to the principle of so important a Bill as this was, the House at least ought to be more full than it happened to be at that moment, and all the Ministers should be in their places, if indeed the noble Marquess would not throw upon them the responsibility of bringing forward the measure themselves. In conclusion, he would repeat his conviction, that some such measure as this, and many others, upon other points, would be necessary to remedy the inconveniences which would result from the Reform Bill.

The Earl of *Radnor* could not entirely concur with the reasoning of the noble Duke. He could not admit, that if the question were to be entertained at all, it ought not to be entertained in the absence of Ministers; but he confessed, that he did not see the necessity of the Bill. The noble Duke said, that the necessity might arise. Sufficient for the day was the evil thereof. He would suggest, that when the evil should arise, it would be ample time to apply the remedy. The noble Duke had correctly stated, that the Bill was a very important measure, and would repeal a clause in the Act of Settlement. This was a question which required grave consideration. It was a modern practice to declare, in the preamble of Bills, that it was expedient to do so and so; but the House would require some other reason for repealing a part of the Act of Settlement, than the mere declaration that it was "expedient." He certainly joined the noble Duke in asking for the postponement of the measure. The noble Marquess had stated one or two inconveniences which arose from the existing state of the law, but they had not heretofore been felt very grievous. The case upon which the nobe Marquess particularly relied, in illustration of his argument was not a case in point, for at the time the present Ministers were appointed to office, they all vacated their seats, and were all re-elected. The election to which the noble Marquess alluded was the general election, and if the Bill now proposed by the noble Marquess had been in force at that period, it would have made no alteration in the case. He saw no occasion whatever for the Bill. He thought, that the other House of Parliament might take a technical objection to the measure, on the ground, that it was one which ought not to have arisen in the House of Lords. That, however, was a point upon which he would not dwell; but if it were intended to remedy inconveniences which might arise out of the Reform Bill, he would say, wait till the inconveniences should actually arise. He hoped, that the noble Marquess would withdraw the Bill altogether.

The Marquess of *Lansdown* said, that in justice to the noble Marquess, he felt it necessary to state, that he brought forward the proposition, which he had embodied in the present Bill, when the noble Duke opposite was not present—namely, during the discussion on the Reform Bill. It was then generally admitted on both sides of the House, that great inconvenience resulted from the law which the noble Marquess proposed to repeal, but it was suggested that the remedy should be applied by the introduction of a separate Bill on the subject, instead of by the introduction of a clause into the Reform Bill. Certainly no distinct opinion was given upon the question at that time, but it was felt to be one which deserved the serious attention and consideration of the House, for the purpose of inducing which, the noble Marquess had most judiciously in manner, and clearly in matter, brought the present Bill before the House. He had no hesitation in saying, that he had long considered the existing state of the law to be productive of great inconvenience. At the same time the subject was one of considerable delicacy, and it would be for their Lordships to weigh the inconvenience resulting from occasionally delaying the public business, at moments when it was most urgent, and when the executive was called upon to act with the greatest decision, with the advantage which arose from the people having a check upon public men. He would consider the question as attentively as he could, before he pronounced a decided opinion upon it, and in the mean time he concurred with the suggestion of the noble Duke, that the subject should be brought forward in a fuller House.

The Marquess of *Northampton* said, in reference to what had fallen from the noble Earl, that the election for Preston took place in consequence of the right hon. Gentleman who sat for it having vacated his seat on being appointed to office. The noble Earl, however, seemed to have misunderstood his object in referring to the election, which was to show, that the election of three or four Ministers did not furnish an accurate criterion for judging of the popularity or unpopularity of their measures. He had intended to have introduced a clause into the Reform Bill, to effect the object which he proposed to accomplish by the Bill, but he was at first detained in the country by indisposition, and then the Bill travelled through the Committee with such speed, that he did not reach the House in sufficient time to give notice of his intention to propose the clause, on the bringing up of the Report. He moved the clause when the Report was brought up, and when the noble Earl at the head of the Government suggested, that he should introduce a separate Bill on the subject. This suggestion was also approved of by a noble Lord on the other side of the House, who took a distinguished part in the discussions on the Reform Bill he mentioned these circumstances in order to guard himself against any charge of presumption in having, young as he was in that House, and unaccustomed to business, brought forward so important a measure. He thought there could be no objection to have the Bill now read a second time, and to take the discussion on another stage. If it were intended that the Bill should pass, it was of importance, that it should not be delayed, as it would have to pass through the other House.

The *Lord Chancellor* said, that nothing could be more fair and candid than the noble Marquess's mode of proceeding. Although he was perfectly aware, that according to the strict forms of the House, the discussion on the principle of the Bill could be taken on any of the stages succeeding the second reading, yet as no material inconvenience would result from the delay of a day or two, he thought it advisable, in a case of this importance to take the discussion on the principle at the usual step—namely, the second reading. The principle upon which the statute of Queen Anne (which the noble Marquess proposed to modify, not to repeal) was founded, was this—that the Crown should not have the power to choose for its Ministers any persons who were not agreeable to their constituents, whose suffrages they were sent back to solicit. The practice was undoubtedly attended with some inconveniences; nevertheless, the principle out of which it grew was embodied in the Constitution, and he could not help thinking, that an opportunity should be afforded their Lordships of more maturely considering the Bill. He had not had an opportunity of directing his attention to the Bill, so as to form an opinion on the subject. He really was not aware, that the measure stood for a second reading that evening, otherwise he would have prepared himself to state his opinion; upon the whole, he thought it would be best for the noble Marquess to postpone the second reading.

The Marquess of *Northampton* said, that after what had taken place, he had no objection to postpone the second reading of the Bill; but at the same time he must observe, that the House was tolerably full some time ago, and if noble Lords would go away when they knew an important measure was fixed for that night, it was not his fault.

Second reading postponed.

HOUSE OF COMMONS,

Thursday, June 14, 1832.

MINUTES.] Bill. Read a third time:—Consolidated Fund (4,000,000*l.*)

Petitions presented. By Mr. SHAW, from Aghold,—against the Ministerial Plan of Education (Ireland.)—By Mr. STRUTT, from Derby;—and by Mr. BROWNLOW, from Bangor,—in favour of that Plan.—By Sir GEORGE MURRAY, from Perth, against the Hypothec (Scotland) Bill; and for a Reduction of the Duty on Fire Insurance Policies; and from Chelsea, for the better enforcing of the Sabbath Day.—By Mr. BLACKNEY, from Borris;—by Mr. BROWNLOW, from Lisburn and Lower Killeavy;—and by Lord MORPETH, from Dewsbury, York,—for an efficient Reform to Ireland.—By Dr. LUSHINGTON, from two Parishes in Westminster, for Stopping the Supplies; from Maidenhead, in favour of the Factories Regulation Bill; and from seven Places in Ireland, against the Punishment of Death.—By Mr. BROWNLOW, from Galway, for Preserving its Peculiar Franchise; from Armagh, for Poor Laws (Ireland); and from Lower Killeavy, against Tithes.—By Mr. BLACKNEY, from Hacketstown;—by Lord MORPETH, from Danby and Thirsk;—and by Lord KILLEEN, from some Place in Ireland,—for the total Abolition of Tithes.—By Mr. O'CONNELL, from the National Union of the Working Classes, against the Taxes on Knowledge.

MURDER AT SOUTH SHIELDS.] Mr. *Beaumont:* I wish to call the attention of the hon. Gentleman to the report of a murder that has taken place in South

Shields, by two men belonging to the Union Pitmen, and I wish to know whether the Government has received any information on the subject?

Mr. *Lamb:* I am sorry to say, that such intelligence has been received at the Home Office; and that there has been a murder committed by some of the Union pitmen, in the most treacherous manner. I hardly need add, that it is the intention of the Government to do every thing in its power to investigate the circumstances.

Mr. *Beaumont:* I will not say any thing now that can lead to discussion; but I wish to give notice, that I shall take an early opportunity of calling the attention of the House to the state of the workmen in these pits; for it is intolerable that a body of them, because they choose to elect themselves into a Committee, should be able to make themselves lords and masters over all belonging to their calling.

Sir *Henry Hardinge:* I am glad to hear my hon. friend say, that he will take an early opportunity of bringing this subject before the House. I myself have seen several letters on the subject from the North; and I am convinced that the Government cannot be too speedy in its measures.

Sir *Robert Peel:* What I have always felt on the subject of these Unions is, that the industrious classes are more interested in their suppression than the higher classes; because we can always escape, to a certain extent, from their effect; but those in humbler life, whose only dependence is their labour, are subjected to the full brunt of their tyranny, and are not allowed to take their labour to the best market. I am therefore certainly of opinion, that some legislative enactment should be introduced for the purpose of remedying this evil.

Taxes on Knowledge.]* Mr. *Edward Lytton Bulwer* said, that in rising to move certain resolutions for the repeal of the principal taxes on knowledge, he trusted that his deep and conscientious conviction of the necessity of the measure he was about to propose, would be a sufficient excuse for undertaking a task, which, if as important as he believed it to be, was equally above his abilities and his station in public life: those were not light or ordinary motives which, supporting as he did the present Administration, could induce him to bring forward a measure, not, he trusted, opposed, but certainly not sanctioned by them, and which must necessarily be of a nature that it would better suit their convenience to leave to their own time and their own discretion to determine; but the motives by which he was actuated had been so long nursed, and were so strongly felt, that he conscientiously believed they left him no alternative; for, when he looked round and saw the dangerous effects of those taxes in daily operation — when he saw the numberless pernicious and visionary publications which were circulated in defiance of laws, which, having lost the sanction of public opinion (as his Majesty's Attorney General so justly remarked some time ago), had lost the power of being carried, with prudence into effect—when he saw, that while the cheap dangerous publication was not checked, they suppressed the cheap reply: for those who would reply, were honest and well-affected men; and men honest and well affected, would not break, while they lamented, that law which at present forbade the publication of cheap political periodicals—when he looked round and saw the results of that ignorance which the laws he desired to abolish fostered and encouraged, breaking forth not only in wild and impracticable theories, but, as the experience of a few months since had taught them, in riot, and incendiarism, and crime—when he saw them written in the fires of Kent, and stamped in the brutal turbulence of Bristol, he felt, that in this Parliament, and at this period of the session, he did but fulfil his duty in pointing out the evils of the present system, and the manner in which he conceived, they could be remedied. Would it be said the time was unseasonable which related to national morals and to the waste of human life? He should proceed, at once, to call the attention of the House to certain facts, which would tend to show why it was our duty and our policy to diffuse cheap instruction amongst the people, and he should then show in what manner that instruction was, by the existing taxes, checked and obstructed. From an analysis, carefully made, of the cases of those persons who were committed for acts of incendiarism, &c. &c. in 1830, and the beginning of 1831, it appeared that in Berkshire, of 138 prisoners, only twenty-five could write, and only thirty-seven could read; at Abingdon, of thirty prisoners, six only could read and write; at Aylesbury, of seventy-nine prisoners, only thirty could read and write; of fifty prisoners tried at Lewes, one individual only could read well! Now, when they remembered that it was not sufficient to read, but that, to derive any advantage from that ability, there should also be the habit of reading, how small a proportion of those unfortunate men could be said to have possessed any positive instruction. The same connection between crime and ignorance existed in France. In 1830, it appeared that in the French Courts of Assize there were 6,962 accused persons; out of this number, 4,519 were entirely ignorant of reading and writing, and only 129 had received a superior education. It might be said, that as ignorance and poverty usually went together, it was in these cases the poverty that sinned, and the ignorance was only the accident that accompanied the poverty; but this notion he could contradict from his own experience: his habits had necessarily led him to see much of the condition of those men who followed literature as a profession, and he would say, that this city contained innumerable instances among well-informed and well-educated men, of poverty as grievous, as utter, and certainly as bitterly felt, as any to be found among the labouring population of Kent or Norfolk. Yet how few among these men were driven into crime! How rarely you find such men retaliating on society the sufferings they endure. The greater part of offences are offences against property: but men accustomed to inquiry, are not, at least, led away by those superficial and dangerous notions of the injustice of the divisions of property, which men who are both poor and ignorant so naturally conceive, and so frequently act upon; the knowledge which cannot, in all cases, prevent them from being poor, gives them at least the fortitude and the hope which enable them to be honest. If, then, it was true, as the facts he had stated seemed to him sufficient to prove, that there was an inseparable connection between crime and ignorance, it followed as a necessary consequence, that it was their duty to remove all the shackles on the diffusion of knowledge—that poverty and toil were sufficient checks in themselves—that the results of any checks which they, as legislators, voluntarily imposed, were to be traced, not only in every violent and dangerous theory instilled into the popular mind, but in every outrage the people ignorantly committed, and every sentence of punishment, transportation, and death, which those outrages obliged them to impose! It was, then, their duty to diffuse instruction in all its modes; yet he thought it would be scarcely necessary for him to contend that newspapers were among the readiest and most effectual instruments of diffusing that instruction. In the first place, they had this great advantage—they were the most popular. A certain traveller said, that he asked an American why it was so rare in America to find a man who could not read? The American answered, "Because any man who sees a newspaper always in his neighbour's hand, has a desire to see what pleases his neighbour, and is ashamed not to know what forms the current topics of conversation." In fact, no man could have lived in a city without observing the extraordinary appetite for intelligence on passing events, which the life of a city produced among all classes, from the lowest to the highest; and it had been justly said, that you may note even a greater crowd round a newspaper office, with the day's journal at the window, than at the most alluring of the caricature shops. A newspaper was, in truth, almost the only publication (religious ones excepted) that the poorer classes were ever tempted to read; and, above all, it was the only one in which they could learn those laws for the transgression of which ignorance was no excuse. Thus, it had been well remarked, that every account of a trial, every examination at Bow-street, every dogma of my Lord Mayor, had for them not only an interest and an amusement, but also a warning and a moral. A newspaper, then, was among the most popular and effectual modes of instructing the people. And now mark the interdict laid on the newspapers: the present taxes upon newspapers consisted, first, of a duty of 3*d.* per pound weight on the paper, or about a farthing a sheet; second, of a duty, nominally 4*d.*, but subject to a discount of twenty per cent:*

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* This whole Debate is re-printed from a corrected copy, published by authority.

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* On the daily, but not on the weekly, papers; the weekly papers pay the full duty (4*d.*) without discount.

and, third, a tax of 3*s*. 6*d*. upon every advertisement. The whole duties, with the price of printing, and the news agency, amounted to 5½*d*. for every sevenpenny copy of a London paper. Now, let them glance rapidly at some of the consequences of the high price at which newspapers sold. In the first place, owing to that price, the instruction they contained did not travel extensively among the poor; in the second place, as only the higher and the middling orders could afford in general the luxury of these periodicals, so it was chiefly to the tastes and interests of those wealthier orders that these journals addressed themselves. They contained, it was true, much that was valuable, much that was necessary to the poor, but they did not give to them that advice, and those frequent suggestions and admonitions upon matters of trade, or points of law, which would necessarily be the case were the poor among their customary supporters. Even in mere style, that which suits the richer is not always attractive to the poorer people; and thus, as in this free country you cannot prevent men of all ranks from seeking political intelligence, the poorer people, finding themselves debarred from the general use of these expensive papers, and finding, when they do obtain them, that they are not often addressed in a style seductive to them, are driven almost inevitably to those illegitimate, those dangerous productions, cheaper in price, and adapted almost exclusively to themselves. It was thus that the real political education of the people was thrown into the hands of the wildest, and sometimes the most pernicious teachers; and while they were erecting new props and new buttresses to the gorgeous palaces and solemn temples of the Constitution, they were suffering that dark and stealthy current of opinion to creep on, which, if not speedily checked, must sap both temple and palace in the very midst of their labours. He should like hon. Members to know the real nature of publications thus circulated; he would not read any extracts to the House, because he knew the House objected to that course: but he denied that there was much justice in the argument, that by so doing they should give notoriety to publications otherwise obscure. The fact was, that for the class to which they were addressed they were not obscure. Were hon. Members aware that many of these publications circulated to the amount of several thousand copies weekly; that their sale, in several instances, was larger than the sale of some among the most popular legitimate papers; that their influence over large bodies of the working classes was much greater? A very intelligent mechanic, in a manufacturing town, with whom he had had occasion to correspond, said, in a letter to him, 'We go to the 'public-house to read the sevenpenny 'paper, but only for the news; it is the 'cheap penny paper that the working man 'can take home and read at spare mo'ments, which he has by him to take up, 'and read over and over again, whenever 'he has leisure, that forms his opinions.' 'You ask me,' said another mechanic, 'if '*The Penny Magazine* will not counteract 'the effect of what you call the more 'violent papers? Yes, in some degree; 'but not so much as is supposed, because 'poor men, anxious to better their con'dition, are always inclined to politics, 'and *The Penny Magazine* does not 'touch upon them; to correct bad politics 'you must give us not only literature, but 'good politics.' Did hon. Members know the class of publications thus suffered to influence the opinions of their fellow countrymen? He spoke not about such as were aimed at mere forms of government: who should say what opinions on such subjects were pernicious or not? But were they aware that some of them struck at the root of all property, talked of the injustice of paying rents, insisted upon a unanimous seizure of all the lands in the kingdom, declared that there was no moral guilt in any violation of law, and even advocated assassination itself? Thus, then, it was clear, that the stamp duty did not prevent the circulation of the most dangerous doctrines. It gave them, on the contrary, by the interest which the mere risk of a prosecution always begets in the popular mind, a value, a weight, and a circulation, which they could not otherwise acquire. Above all, let them recollect, that while these were circulated in thousands, the law forbade reply to them; or if, in despite of fact, you call the legitimate papers a reply to them, then, even by your own showing, you sell the poison for a penny, and the antidote at sevenpence. His proposition was not at present to touch the paper duty; it was a tax which, in the present state of the revenue, might be fairly spared, and which, though a grievance, did not fall nearly so heavily on the public as the two taxes he would abolish; the first of these was the stamp duty—the second the advertisement duty. Take away the stamp duty, and the 7*d.* paper would fall at once to 3¼*d.*; but he was inclined to believe, and in this he was borne out by many impartial practical men on the subject, that, owing to the great increase of sale which the cheapness of the article would produce, the newspapers would be enabled to sell at a much lower rate than 3¾*d.*, and would probably settle into the average of 2*d.* each. The great point, and the first to consider, was, would the number of newspapers published through the year increase to any very large extent? All his argument rested upon that point—partly as related to the diffusion of knowledge—partly to the profits of a postage. To him it seemed a self-evident proposition, that when it no longer required a vast capital—a capital from between 30,000*l.* and 40,000*l.*—to set up a daily newspaper—when it was open to every man of literary talent, with a moderate sum, to attempt the speculation, there would be a great and sudden increase of newspapers. To him it seemed equally evident, that when newspapers were so cheap as to be within the reach of almost any man, there would be an enormous addition to the present number of readers; that many who hired a paper now would purchase it—that many who now took one paper would then take two—that the intelligent mechanic, who now, in every town throughout the country, complained that he could not afford to purchase a paper, would spare, at least once a-week, his 2*d.* or his 3*d.* from those ale-house expenses he was now induced to incur, for the very sake of reading or hearing read the paper he would then be able to buy: that, in short, when a weekly paper cost only 2*d.*, there would scarcely be, in this great political community, a single man who could read who would not be able and willing to purchase one. But he would rest no part of his case on propositions only—however evident they seemed to him—he would not stir a step without the support of facts. Hon. Members had often heard of a certain contraband paper, set up by Mr. Carpenter, called *The Political Letter*: it was published at 4*d.*; of this paper the average sale weekly was 6,000 copies. Made sanguine by his success, Mr. Carpenter took out a stamp, and his paper became 7*d.* What was the consequence? Why, the paper could no longer exist; from a sale of 6,000 copies it fell, in the very first week, to a sale of 500. A most important fact: for here was a journal in all respects exactly the same, except in price, but it could sell 6,000 copies one week, when sold for 4*d.*, and only 500 the next week, when sold for 7*d.* There had lately been a sensible falling off in the sale of these illegitimate papers. Why? Not from any increased severity of the law—not from any want of political excitement—not, surely, from any great prosperity in trade, which usually deters men from any inflammatory speculations; no, but because of late a great number of penny literary papers had been set up, and these had been found to interfere with and contract the sale of the contraband journals. Now, as literary papers, after all, were not what the poor particularly wanted, how much more would the sale of these illegitimate journals have been crippled, had some of these innocent literary papers been innocent political ones? But the great sale even of these cheap literary papers (*The Penny Magazine*, for instance, is said to sell 120,000 copies) proves how general is the desire of the people for such periodicals as they can afford to buy, and how great would be the increase of political periodicals, were they made as cheap as his Motion would make them. But, besides these proofs that the cheapness of periodicals will incalculably increase their sale, we have the experience of other countries that it does; in America a newspaper sells on the average for 1½*d.* What is the result? Why, that there is not a town in America with 10,000 inhabitants, that has not its daily paper. Compare Boston and Liverpool: Liverpool has 165,175 inhabitants; Boston had, in 1829, 70,000 inhabitants. Liverpool puts forth eight weekly publications; and Boston, with less than half the population, and with about a fourth part of the trade of Liverpool, puts forth eighty weekly publications. In 1829, the number of newspapers published in the British Isles was 33,050,000, or 630,000 weekly, which is one copy for every thirty-sixth inhabitant. In Pennsylvania, which had only in that year 1,200,000 inhabitants, the newspapers amounted to 300,000 copies weekly, or a newspaper to every fourth inhabitant. What was the cause of this mighty difference? The cause was plain. The newspaper in one country sells for a fourth of what it sells for in the other. The newspapers in America sell for 1½*d.*, and in England for 7*d.* From all these facts (to which he could add innumerable others), they had a right to suppose, that if newspapers were as cheap as they would be if his object were carried, the number of copies would be prodigiously increased. Thus, information would circulate far more extensively; thus, matters connected with trade, science, and law, would become more familiar; thus, there would be a thousand opportunities for removing those prejudices among the poor, which now so often perplexed the wisdom and benevolence of Legislators. A great number of trades would have journals of their own; a great number of the more temperate and disinterested friends of the people would lend themselves to their real instruction, and, by degrees, there would grow up that community of intelligence between the Government and the people, which it was the more necessary to effect, at a time when they were about to make the people more powerful. It is thus that Ministers would have it in their power to reply to those hon. Gentlemen, who had said the working classes were too ignorant to be trusted with the elective franchise; at the same time that they granted the trust, they would dispel the ignorance. Ministers had been told they had created a monster they could not control. No; on the contrary, they had won the monster to themselves; instead of making a ferocious enemy of a gigantic and irresistible power, they had softened it by kindness; let them, at the same time, enlighten it by knowledge. Lord Eldon, on the 29th of November, 1830, at the time of the agricultural insurrections, had made use of these remarkable words—'Many, very many (of the agricultural insurgents), were not aware of the criminality which attached to the offences they had been led to commit.' * * * 'There could not be an act of greater mercy to the misled and deluded people, than to have the nature and provision of the criminal law explained.' * * * 'He did hope that those learned men who were about to be sent into the disturbed districts, would take the trouble of explaining to their deluded and mistaken fellow-countrymen, the law of the land, and the reasons of the law, and the reasons why it was for their interest, and to the interest of the community at large, that it should remain the law of the land.'* In those words Lord Eldon did but adopt his principle, but there was this difference between them; Lord Eldon adopted the principle when it was too late. He made the warning go hand-in-hand with the punishment, and he sent the people instructors and a special commission at the same time. He had one more argument for urging the immediate adoption of his proposal—one reason for considering it a necessary appendix to Reform—they had passed the Reform Bill. Suppose they did not break the present monopoly of the five or six newspapers, which now concentrated the power of the Press, what would be the consequence? Why this. In a reformed Parliament, would not a Ministry too entirely depend on some one or two of the most influential newspapers for support? What the close boroughs had been, might not the existing journals become? Did he speak against the respectability of the present Press?—No; considering the va power they possessed, the wonder was, not that they had so often, but so seldom abused it. Was he, then, opposed to granting that power to the Press? Absurd! While types and paper existed, that power must continue; but then, it should be a free Press, and not a monopoly. Every shade of opinion should find its organ. Power should exist, but that power should be a representation, not an oligarchy. Why exchange an oligarchy of boroughs for an oligarchy of journals? But would he injure the interests of the existing papers—injure their sale? He thought we owed too deep a gratitude to their services for him willingly to do so. The competition would divide their power, but the cheapened price would increase their sale. If the stamp duty were the pernicious tax he had attempted to show it to be, what should they say of the advertisement duty? Advertisements were the medium of commercial intelligence of sale and barter. The first principle of a statesman was, to encourage that intelligence; yet, here they laid an interdict of 3*s.* 6*d.* on every announcement of it. In the excellent letters which the Editor of *The Scotsman* had addressed to a Chancellor of the Exchequer, the ill effects of this tax on our commerce was shown by a reference to America, in which country advertising was untaxed. In one year, twelve of the daily papers in New York had published 1,456,416 advertisements. In the same year, the 400 papers of Great Britain and Ireland had published 1,020,000 advertisements; so that there were nearly a half more advertisements published in the twelve daily papers of New York, than in all the 400 papers of Britain and Ireland, including the London journals. What was the cause of this preposterous disparity? Was it not the price? The price of an advertisement of twenty lines, in a London paper, if published every day thoughout the year, would amount, at the year's end, to 202*l.* 16*s.* In New York, the same advertisement, for the same period, would be 6*l.* 18*s.* 8*d.* Was not that a sufficient cause for the difference? Need they look further? Might they not call this tax, in the words of *The Scotsman*, an engine for extinguishing business, and for obstructing and depressing all the various branches of trade? If such was the effect of this duty on their commerce, how did it affect their literature? A book must be advertised largely in order to sell: advertising was the chief expense. What was the consequence? Why, that as it cost as much to advertise a cheap book as to advertise a dear one, the bookseller was loth to publish a cheap one. He cared more about the number of pages in your work than the number of facts. You told him of the materials you had collected, and he asked you if he could sell them for a guinea. This operated two ways: 1st, it degraded literature into book-making; 2ndly, it was a virtual interdict upon cheap knowledge. In both ways the public were irreparable losers; and all for the sake of about 157,000*l.* to the revenues of the wealthiest country in the world. So much for the taxes he would repeal. He now came to that which he would substitute. He did not think, however, that it would be a sufficient argument from the noble Lord to say, the revenue would not bear the loss of these taxes, while there was any other conceivable source from which revenue could be drawn. It was not the amount of taxation under which we groaned, it was the method of taxing; it was too much, for instance, that we should make knowledge as dear as possible, and gin as cheap; that we should choke the sources of intelligence, and throw open the means of intoxication. What volumes in the mere fact, that at Manchester there were 1,000 gin-shops, and not at Manchester one daily paper! Squeeze, then, new profits from the excise duties, augment the assessed taxes; odious and unwise as those taxes were, any tax was better than the one which corrupted virtue, and the other which stifled commerce. It was not, then, enough to reply that the Government could not spare these taxes, and therefore, even if his substitute were doubtful, the doubt made not against his main proposition. His plan was, a cheap postage, in the following manner: all newspapers, poems, pamphlets, tracts, circulars, printed publications, of whatsoever description, and weighing less than two ounces, should circulate through the medium of the general post, at the rate of 1*d.*; if into the 2*d.* or 3*d.* post, at ½*d.* He would also propose that all works under five ounces should circulate through the same channels, and at a low and graduated charge. The principle of this plan had been successfully adopted in France and America. In France, they might see how little it operated as a check on the circulation of the metropolitan papers. For, if we looked at home, we should find that from 1825 to 1829 there had been little variation in the number of copies sent from London into the country; while in France, where the cheap postage was adopted, the number of papers sent daily by post from Paris in 1825, was 25,000 copies; in 1829 it was 58,000 copies; and it was well stated by Mr. Chadwick, a gentleman admirably acquainted with these matters, that while, during those years, letters had increased fifty per cent, newspapers had increased more than eighty per cent—an important fact, in answer to those who contended that persons would be unwilling to pay a postage, and that such a plan would operate against the diffusion of the metropolitan papers. He had proved there would be a vast increase of papers if the stamp duty were to be abolished. What might that increase reasonably be supposed to amount to? In America there was one newspaper, weekly, to every fourth person; suppose one newspaper, weekly, to every eighth person in England—he took that calculation from the reading proportion of our population—the publication of weekly papers throughout the year would then be 150,000,000 copies; but the present total number of sheets, weekly and daily, published throughout the year was 30,000,000; so that the increase of weekly papers alone, over all now published, would be 120,000,000 sheets yearly. Now the weight of daily papers of the largest size is eighty-eight pounds per 1,000 copies, which pay a duty of 3*d.* per pound, or 22*s.* per 1,000 copies (say 20*s.*); this makes the paper duty 1,000*l.* sterling for every 1,000,000 sheets. Now, we found at present that two-thirds of the London papers went by post; suppose for one moment that this ratio continued with the increased number, the account to the revenue would stand thus:

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* Hansard (third series), vol. i. p. 679

Postage of weekly papers ..	£416,666
Extra paper duty for the extra 120,000,000 sheets ..	120,000
Total ..	£536,666

But this is only for weekly papers; add now all the daily papers—those published twice or three times a week—the pamphlets—the tracts—the prospectusses—the various publications sent through the post, and if you only calculate these at an equal sum produced by the weekly papers, the results would be more than a million; from which, if you took 300,000*l.* to pay the expenses of carriage, distribution, &c. (a most extravagant calculation), you would still leave more than the profits of the two taxes he wished to repeal? A more minute calculation would produce a far higher result. When they remembered all the complicated interests, the vast trades, the numerous intellectual wants of England—that the average talent and enterprise here was at least equal to that in the United States—capital greater, printers' labour cheaper, and that increased appetite for intelligence would be produced by increased freedom in our institutions, was it unreasonable to suppose that the demand for papers might at length equal that in the United States? But, there to every 10,000 inhabitants there is a daily paper, selling, at the lowest ratio, 2,000 copies. Suppose the same in Great Britain and Ireland, and for a population of 24,000,000, you would have 1,440,000,000 of sheets published yearly. Now, reckoning that two-thirds of these would be transmitted by post, the result would be 4,000,000*l.* sterling: add extra paper duty of 1,440,000*l.*, and the total was 5,440,000*l.* And now suppose two-thirds of the papers would not go through post; he did not believe they would—suppose not one went through the post—suppose they did away with the postage altogether, still the extra paper duty alone would be 1,440,000*l.*; viz. more than double the whole of the two taxes he asked them to repeal. So profitable might be the diffusion of information. If knowledge was power to its possessor, its diffusion was wealth to a State. He came to the last consideration; the method of transmission through the post. In France the plan had been so systematically arranged, that the best way would be to borrow their details. The main machinery was already formed; if extra expenses in distributing were acquired, the enormous profits would cover those expenses. They might see what those profits would be to Government, by ascertaining what they were to an individual speculator. The average weight of the largest-sized daily papers was 88lbs. per 1,000 copies; say 90lbs. Now, persons engaged in transmitting luggage by the swiftest conveyances, compute the charge at 1*d.* per lb. every 100 miles; this for 90lbs. would be 7*s.* 9*d.*, the price of carriage; but the 1,000 newspapers at 1*d.* each, would be 4*l.* 3*s.* 4*d.*—certainly an ample profit to allow for the expense of distribution, which leaves a clear profit, after all the expenses are paid, of 3*l.* 15*s.* 10*d.* This was all he thought it necessary to say of the plan of a postage at present, for his resolution only went to appoint a Committee to consider the propriety of adopting such a plan; and further details were, therefore, at present unnecessary. He had been more anxious to submit his calculations on this head to the noble Lord, the Chancellor of the Exchequer, because at one time it was understood that the noble Lord, contemplated not the repeal, but the reduction of these taxes. Now, he would consent to a large reduction in the advertisement duty (though he thought the total repeal most desirable), but he could conceive no reduction in the stamp duty which would not leave in equal, if not greater force, the obnoxious principle; the tempting premium and the unjust prosecution. What could be so monstrous in principle as that any tax should be requisite for a man to publish his opinions? A tax on opinions is a persecution of opinion, it is a persecution of poverty also. If we say, that no one shall declare his sentiments without paying a certain sum, and if, not being able to afford that sum, he yet does publish his sentiments, and is fined, (that is, in consequence of his poverty, cast into prison) for the offence, you make war on his poverty, not on his principles; you punish him, not for the badness of his principles; you punish him, not for the badness of his opinions, but you punish him that, being poor, he yet dares to express opinions at all. Is truth confined to the rich? Who were the great fathers of the Church? Could they have expressed their opinions if a tax had been necessary to allow them that expression? We have been monopolizing the distribution of other blessings, let us, at least, leave opinion untaxed, unquestioned, unfettered, the property of all men. He had now nearly finished. He had attempted to show that the stamp duty checked legitimate knowledge (which was morality—the morals of a nation), but encouraged the diffusion of contraband ignorance; that the advertisement duty assisted our finances only by striking at that very commerce from which our finances were drawn—that it crippled at once our literature and our trade—that the time in which he called for the repeal of these taxes, was not unseasonable—that it would be no just answer that the revenue could not spare their loss, and yet that he was provided with an equivalent which would at least replace any financial deficiency. "Do not let us" said the hon. Gentleman, in conclusion, "do not let us believe, that there is anything in the diffusion of information which is hostile to our political security! At this moment when throughout so many nations we see the people at war with their institutions—the world presents to us two great, may they be impressive examples! In Denmark, a despotism without discontent—in America, a republic without change! The cause is the same with both; in both the people are universally educated. What consoles mankind for inequality in condition like the consciousness that there is no barrier, at least to equality in intelligence? We have heard enough in this House of the necessity of legislating for property and intelligence—let us now feel the necessity of legislating for poverty and ignorance! At present we are acquainted with the poorer part of our fellow-countrymen only by their wrongs—their murmurs—their misfortunes and their crimes—let us at last open happier and wiser channels of communication between them and us. We have made a long and fruitless experiment of the gibbet and the hulks; in 1825 we transported 283 persons, but so vast, so rapid has been our increase in this darling system of legislation, that three years afterwards (in 1828) we transported as many as 2,449. During the last three years our gaols have been sufficiently filled; we have seen enough of the effects of human ignorance—we have shed sufficient of human blood—is it not time to pause?—is it not time to consider whether, as Christians and as men, it is our duty to correct before we attempt to instruct? Whether, by sentencing to criminal penalties men, ignorant both of the nature of the offence they commit, and of the penalties to which they are subject, we do not reduce for them all legislation into one great *ex post facto* law? Is it not time to consider whether the printer and his types may not provide better for the peace and honour of a free state, than the gaoler and the hangman? Whether, in one word, cheap Knowledge may not be a better political agent than costly Punishment? Deny my motion, you cannot deny my facts—by these facts alone, and the attention which they have received, I have made no inconsiderable progress towards the attainment of that object I have so dearly at heart." The hon. Member moved the following Resolutions:—

"That all taxes which impede the diffusion of knowledge are injurious to the best interests of the people.

"That it is peculiarly expedient at the present time to repeal the stamp duty on newspapers.

"That it is also peculiarly expedient to repeal, or to reduce, the duty on advertisements.

"That it is expedient, in order to meet the present state of the revenue, to appoint a Select Committee, to consider the propriety of establishing a cheap postage on newspapers and other publications."

Mr. O'Connell seconded the Motion.

Lord *Althorp:* My hon. friend has shown great industry in his investigation of this subject, and great ability in the manner in which he has introduced it. In a great part of his observations I entirely concur with him, and I think the whole House will agree that the diffusion of knowledge must be advantageous to the country. I agree with him in thinking that cheap publications, such as he has alluded to, would very much promote the diffusion of knowledge, and I believe also, that the only mode by which the bad effects of mischievous publications can be effectually counteracted is, by giving facilities to cheap publications of a contrary tendency. My hon. friend began his speech by saying, that the adoption of his plan would not produce any diminution of the revenue, and he entered into calculations to prove this. I cannot, however, say that I am satisfied with his proofs; and unless I was so, I could not consistently with my duty, in the present state of the revenue, accede to his proposition. My hon. friend says, he is prepared to support his plan, whether it produces a diminution in the revenue or not. In this I am not able to go along with him, in our present circumstances. I cannot help thinking, that he, a little exaggerated the facts and probabilities, as they regarded the revenue. At least he has not convinced me that he is right. There are questions which it is almost impossible to discuss satisfactorily in debate; they are better calculated for the closet than this House. I do not intend to follow my hon. friend through his able arguments; it is not necessary for me to say, that I think the stamp duty on newspapers an objectionable tax; for I myself proposed to reduce it; but the question brought forward by my hon. friend, is one of immense importance; it involves considerations affecting the highest interests of the people of this country, and I think it is too late in the season to undertake such an investigation. I should be very glad to find, on such an investigation, that my hon. friend was right in his views. If I should so find them, no one will be more ready than myself to adopt them. I stated that I thought my hon. friend had been led to exaggerate some of the consequences of his proposals. Gentlemen who are very eager on any particular point, as he very laudably is on this, cannot well avoid being rather two sanguine in their views. He states, that the yearly expense of an advertisement in America is 6*l.* 18*s.*, while in England it amounts to 202*l.* 16*s.* and he attributes this difference to the stamp duty. Now as the duty only amounts to about 60*l.* of this sum, I think he is too sanguine, when he estimates that the reduction of the duty, would have the effect of giving as great an extension to advertisements in England as exists in America. I do not, however, mean at all to deny that great advantages may be expected to arise from giving every facility to the circulation of cheap newspapers, and though I may think that my hon. friend has exaggerated some of these advantages, I think they are sufficient to be well worthy the attention of Parliament. I have doubts as to the expediency of the mode which he proposes, in order to supply the loss to the revenue, which will be occasioned by the reduction of the stamp duties. He takes off all charge upon the inhabitants of the metropolis, where knowledge is the most diffused, and where people are better instructed, and possess more information, and he imposes a tax, in the form of a postage duty, on the transmission of newspapers to the more distant parts of the empire. Now this is certainly contrary to the principles on which we ought to proceed for the diffusion of knowledge. He says, that this postage would replace the stamp duty. It might do so, but I think he has not taken into his consideration the great additional expense to the Post Office, in the conveyance of these publications, and that the present means of conveyance would by no means be sufficient, if there was anything like the increase in the number of publications conveyed which would be necessary to bear out my hon. friend in his calculation. Even as the case stands at present, great inconvenience and some delay arises, when any extraordinary number of newspapers are sent by the post, from the great additional weight of the letter-bags. I am therefore satisfied, that no great increase to the receipts for postage could take place without incurring the expense of additional carriages. I feel, therefore, very great doubts as to the financial conclusions to which my hon. friend has come, and I could not satisfy these doubts, without an investigation much more accurate than I can apply to the subject in this House, or in a Committee, and I am, therefore sorry to feel it my duty not to acquiesce in this Motion. I find, since my hon. friend communicated with me, he has altered the Motion, and has changed the course which he intended to pursue—had he persisted in moving for a Committee of the whole House, I should have felt no difficulty in meeting the proposition with a negative. He has, however, since dropped that course, and has moved his first proposition, " that all taxes which impede the diffusion of knowledge are prejudicial to the best interests of the people." This is a proposition the truth of which I cannot deny, but thinking that this is not a fitting opportunity of going into the other parts of the subject, I shall meet the Motion by moving the previous question. I repeat, I do not believe the change which my hon. friend proposes would lead to the consequences he anticipates; but as I did not rise with the purpose of answering those parts of his speech, I shall merely observe, that, on the simple grounds I have stated, I shall move the Previous Question

Mr. *O'Connell:* I will not detain the House with more than a very few words, for it is quite unnecessary to do so, after the speech of my hon. friend; but I wish to reply to the observation of the noble Lord as to the advertising. The charges of an advertisement in this country for one year is 202*l.*, while in America it is only 6*l.* The noble Lord says, that the repeal of the duty will only strike off 60*l.* out of the 202*l.* But does the noble Lord forget, that, in fixing the price of advertisements, the newspaper proprietor charges for the interest of his capital, and also, that the price is considerably augmented by the monopoly which exists in the hands of the few, who are able to advance the 60*l.* on each advertisement. Even now, different papers charged different prices, and if the monopoly were to be abolished, and the market thrown open by the reduction of the tax, from the competition, what would arise? The public would have advertisements cheaper. The reduction would operate in two ways; directly, by making it cheaper to the amount of the tax taken off, and indirectly, by promoting competition. The argument of my hon. friend on the subject of postage was unanswerable, particularly after the example of France, where it has been tried with so much success. Let the noble Lord recollect the great number of newspapers now carried, as well as parliamentary papers. Now the latter as well as the former, might be made to pay a moderate postage. I think that the noble Lord is not following the right course in rejecting this Motion, but that the question ought at once to be submitted to the consideration of a Select Committee. The statement of my hon. friend appears to me, not only to be unanswerable, but to be incontrovertible. I think the whole system upon which we have been proceeding with regard to this subject is erroneous. You have laws imposing severe penalties upon those who are guilty of breaches of these laws; but it has been found impossible to stop the sale of those cheap and obnoxious publications by fiscal laws; and the success with which they are broken, the sympathy excited in favour of the offenders, and the assistance which they receive, only give encouragement to pursue the same course. I have been informed that, within the last fortnight or three weeks, between forty and fifty persons have been taken before the police Magistrates, and convicted for selling these publications. This great number of convictions has arisen from the increased activity of the revenue officers; but this excites a strong feeling in the minds of the public in favour of those who are convicted of breaches of these laws. The law is daily becoming a less effectual check against the circulation of these works, as I understand that they are increasing rapidly. The only effectual check, the only means of preserving the public morals from the baneful consequences of these publications, is, by the diffusion of sound and just notions; and those who are desirous of spreading cheap useful knowledge amongst the people are checked by your fiscal laws. At present, the most erroneous statements and opinions are published without contradiction; and those who are able and willing to instruct the people, are precluded from doing so, as they are unwilling to infringe the law; but the advocates of the most pernicious doctrines, having no such fear, spread their opinions without an opportunity being afforded of showing the fallacy of them. At present, in consequence of so many persons having been convicted, a feeling has gone abroad that there is persecution against them on account of their opinions, and people are, in consequence, induced to purchase these cheap and obnoxious publications. I will not trouble the House at greater length; but will give my cordial support to the Motion.

Sir *Charles Wetherell:* I concur entirely in the opinion of the noble Lord, that the appointment of a Committee can lead to no useful result; but that we shall merely have, at the end of a few weeks, a large printed Report. I think that this very extensive inquiry is undefined and illimitable; and I confess, that I do not think that any practical good can possibly result from it. I believe there are three distinct propositions in the hon. Gentleman's Motion; the first has reference to the importance of diffusing knowledge among the people. I do not deny that newspapers very often contain matters of great interest and importance; but I do not think that newspapers are celebrated for containing any philosophical discussions, or that the knowledge disseminated by them is of the most useful character. I have no doubt that the noble Lord is anxious for the diffusion of knowledge, but I hardly think that he would recommend any one to read the newspapers for the purpose of finding moral or philosophical dissertations on any subject. The second point is, that the duty should be taken off newspapers, with a view to render them cheaper, and to enable persons to commence newspapers; that is, that there is to be a diminution of the expense of a newspaper, and that which sells now for 7*d.* is to be sold hereafter for 2*d.* or 3*d.* It is stated that a monopoly at present exists with respect to newspapers, and that, if the tax were removed, it would enable persons to commence cheap newspapers. Now, I will not mix up the merits of the opinions divulged in newspapers with the rights of the proprietors. The Press is a very expensive and valuable right of property, and I should be loth to see the capital and property of the owners of established newspapers so materially shaken and injured as they would necessarily be if the hon. Gentleman's Motion were carried. I am convinced that, if these taxes were removed, it would be extremely ruinous to the owners of the copyright, who have large capitals embarked in newspapers. The third proposition which the hon. Gentleman brought under the notice of the House, had reference to the finances of the country. He said, if you take off the stamp duty on newspapers, it does not follow that the revenue would suffer, for you might substitute a postage duty on the transmission of newspapers. Now I think that this proposition for substituting a postage duty has been most ably exposed by the noble Lord opposite. I think it has been made perfectly clear by the noble Lord, that, for the purpose of benefitting the metropolis, the hon. Gentleman would do an injury to all the other parts of the country. I really do not think that, if the hon. Gentleman's plan were carried into effect, his object would be accomplished. I cannot help feeling also, that it is inexpedient for the House to interfere in this matter, and that it should be left to his Majesty's Government. I am not one of those who think that newspapers are celebrated for the moral purity of the opinions they propagate, and I do believe that by means of a cheap circulation—*quoad* newspapers—an end would not be put to the propagation of erroneous doctrines. I think that it is useless for the House to interfere in matters of this sort, unless it is immediately to be followed by a legislative enactment. If, however, a Committee should be appointed, I think the House would be doing that which a House of Commons ought not to do.

Sir *Matthew White Ridley:* As I have presented several petitions on this subject, I am anxious to explain the motives which govern me on the present occasion. I entirely agree in the object which my hon. friend has in view; but, under all the circumstances of the case, I think it is better to assent to the course proposed by my noble friend; I therefore shall support the Amendment. I am anxious to state my opinion, that I cannot support the present Motion, not because I do not agree with the first proposition—that the diffusion of knowledge is most useful, but, on this occasion, I object to send the Motion to the consideration of a Select Committee. I admit the excellence of these Committees for gaining a knowledge of facts, but I do not think that it is proper that matters should be referred to the consideration of a Select Committee, for the purpose of removing the responsibility from the Government. I therefore object, on principle, to the mode which it is proposed to pursue in this case, and I regret that it has been pursued in so many others. But, besides this, I object to the Motion at the present moment, as there are ten or twelve Select Committees now sitting on most important subjects, and it would be utterly impossible that the duties of another Select Committee could be properly performed at this period of the Session. I think, then, that it would be worse than useless to appoint a Committee from which no advantage could be derived. I am decidedly in favour of the reduction of the duty on newspapers and advertisements, but I think that the proposition for substituting, in the place of those taxes, a postage duty on the transmission of newspapers and parliamentary papers, is liable to the most serious objections, for it is giving an advantage to the metropolis over all other parts of the country. At present, the metropolis has great advantages, for it is the centre of all commercial and political information, and agreeing to this proposition would be increasing these advantages at the expense of the distant provinces. In the diffusion of knowledge, of course it is desirable to spread it over as wide a field as possible, but this would tend materially to check its progress in the country. I shall oppose the present Motion, not because I am opposed to the reduction of the duties, but from its being impossible to go into all the details at present; and also, because I think it is taking the responsibility which ought to rest with the Executive Government, and throwing it on a Committee of this House.

Mr. *Warburton:* The only argument which I have heard used in favour of the course proposed by the noble Lord, which has the least weight with me, is, that it is impossible to go into the inquiry with a hope of arriving at a satisfactory conclusion at this late period of the Session. Nearly all the Members of the House who are not remarkable for their attention to public business, and some whose opinions are entitled to the most weight, are already, and will to the end of the Session, be occupied with Committees of great importance, which are now sitting; and I doubt, therefore, whether any Committee could now be appointed, that would give to the plan of my hon. friend, and to its details, that attention which it so well deserves. I do not agree with the Member who spoke last, in thinking that there is anything improper in a Select Committee to make out a case in all its details, for inquiring into the merits of which a Government may not have time. I think that if a Member has a plan, which, in a *prima facie* view of the case, appears to promise to effect the objects which the Member has in view, he should always be allowed a Committee, before which he might be able to make out his case. I certainly think, that my hon. friend has made out such a *prima facie* case for a Select Committee; but, after the declaration of my noble friend, that the only reason for not assenting to the proposition is the late period of the Session, and the state of public business, I hope that my hon. friend will not press his Motion to a division. Sure I am, that if in the next, and the first Session of a reformed Parliament, of which I hope he will be a Member, he will bring forward the subject at an early period of the Session, so that a Select Committee may have ample time for inquiry, the plan of my hon. friend will be attended with success. With respect to the objections urged by the hon. and learned member for Boroughbridge, they appear to me extraordinary. He objected that, if the present monopoly was thrown open, the proprietors of newspapers now established would be injured. We are, therefore, to continue the present imposts, to protect their vested interests. The enormous capital now required for conducting a daily newspaper, gives to the proprietors of the leading newspapers a virtual monopoly, and enables them to charge the public a monopoly price, over and above the charge resulting from the high duty. It does not, however, follow that they would be injured by the reduction of the duty; an extended sale would be the consequence of diminished price, and their established reputation would give them a preference with the largest class of readers. The argument, in fact, goes to the extent, that no improvement should be allowed, because the change, peradventure, may injure some particular persons. The objection urged against rendering these publications cheap, might be used as an objection to the art of printing. "How many libels, how many heresies and blasphemies will not be produced by the cheapness of printing! Let us then cling to dear manuscripts, and thus prevent the sale of printed pamphlets and newspapers altogether. Let us stop the distribution of cheap poison." Thus spoke the Conservatives of former days. Some evil, no doubt, results from printing, and cheap publications, but it is the balance of good and evil that, in questions like the present is to be looked to, and unless experience in this country is totally disregarded, all must confess, that, so far as we have gone, the good has greatly predominated; but the argument that publications may be too cheap, and that the public interests would suffer in consequence, would have justified our predecessors in putting down printing altogether; or rather, in refusing to have suffered it to have come into use. Granting, then, that there are distributors of poison, let us ensure the cheap distribution of antidotes. After the admission made by my noble friend, the Chancellor of the Exchequer, I hope the hon. Gentleman will not press his Motion to a division, as he will get a Committee next Session, and see his views carried into effect.

Mr. *Strutt:* I will only trouble the House with a very few observations, which I feel called upon to do in consequence of having been intrusted with several petitions on this subject. I consider this subject to be one of the greatest importance; and I know that the working classes throughout the country are looking with the most intense interest and anxiety to the decision of the House on this question. I think that the most beneficial consequences would result from the removal of the taxes on knowledge. The law, as it now stands, on this subject, is not only injurious to the poor, but also to the rich: for I am convinced that all experience will show, that as education is more widely diffused, the moral condition of the people is improved. I think this is the more important now, when you are conferring political power on so large a number of the poorer classes. I think it is highly inexpedient to let them remain in a state of ignorance; and that it is the bounden duty of this House to increase the instruction of the poorer classes, by every means in its power. Hitherto, you have legislated too much for yourselves; you are now called upon to legislate for ignorance. It is chiefly upon the diffusion of sound political knowledge that you render safe the granting political power. If you give the people the latter, without the means of obtaining the former, you do not confer a benefit upon them. At present, in consequence of the operation of the taxes, those who advocate doctrines most injurious to all classes of the community, and, above all, to the labouring classes, are able to spread their opinions without an opportunity being afforded of answering them in such publications as come into the hands of the labouring classes. I know that those who entertain similar opinions to myself on this subject, are sincerely desirous of applying an antidote to this evil, but they are unable to do so without violating the law, while men of abandoned character, break through it with impunity. The effect of the present system is, that it leads to the habitual violation of the law, and prevents the diffusion of useful knowledge and sound instruction among the lower classes, who, above all others, stand in need of it. We have the evidence of the Attorney General, that it would be an absurdity to undertake a crusade against the publishers of these cheap newspapers; for the prosecutions might fail, and the sympathies of the people might be excited, under the impression that it was a species of persecution. It is probable, for the reasons that have been assigned, that the Motion of my hon. friend cannot now be assented to: but I trust that the noble Lord, the Chancellor of the Exchequer, will, during the recess, turn his attention to the subject. I regret that the reduction of these duties cannot at once be effected; but I trust that the subject will engage the attention of the House at an early period of the ensuing Session.

Mr. *Robinson:* Before this Motion is put, I feel anxious to make some few remarks which occur to me. I am sure that the speech of the hon. member for St. Ives has produced such an effect on the House, that it will not fail of leading, hereafter, to the result which he desires. I entirely concur with the hon. Member in the propriety and advantages of the measure he suggests; but, in my opinion, as the noble Lord, the Chancellor of the Exchequer, has shown that his objection to the proposition arises, not from his opposing the principle, but on the ground of mere expediency, I think it would be better to leave the matter as it is, rather than go to a division; I, therefore, would recommend the hon. Gentleman to withdraw his Motion, and bring it forward on a more opportune occasion. In my opinion, it is the duty of this House to examine into the effects of taxation; indeed, is will be one of the most important questions that will come before the House when the expenditure of the country has been reduced to its lowest limits; namely, to consider how the whole system of taxation can be remodelled. This tax must certainly be got rid of; but the noble Lord, the Chancellor of the Exchequer, like all Chancellors of the Exchequer, said, that he could not part with it in the present state of the finances; but, in point of fact, the tax is so objectionable that he could not urge one single argument in its favour. This tax, however, is small in amount, and I am sure that there would be no difficulty in finding a proper substitute for it. I will not detain the House longer than to express my cordial concurrence in what fell from my hon. friend, and I am sure that it will produce its effects; at the same time, I concur with the noble Lord, that it would be inexpedient to go into this question at so late a period of the Session. As it is obvious that, before long, this tax must be put on a proper basis, I trust that my hon. friend will not press his Motion to a division.

Mr. *John Campbell:* As I have received various representations on this subject from my constituents, in which they express the most hearty dislike of these taxes, I rise to give my support to the motion of the hon. Gentleman, and to express my cordial concurrence in the principle of it. There are, no doubt, evils which arise from the licentiousness of the Press, but these are nothing in comparison with the advantages which result from it. I trust that the time is not far distant when we shall have newspapers, as they were in the days of the *Spectator* and *Tatler*, published at a halfpenny; and I have no doubt that most hon. Gentlemen recollect a luminous paper in the *Spectator* on this subject, in which the writer jokes the Chancellor of the Exchequer of that day for imposing a small tax on newspapers. I trust that, next year, the noble Lord will be enabled to reduce this duty, and I am sure that the most beneficial consequences will result from it.

Mr. *Hunt:* As I have had the honour of presenting no less than forty petitions on this subject, I will trouble the House with a few observations. I must express my admiration at the ability displayed by the hon. member for St. Ives, in the manner in which he has brought this subject forward. I am most anxious that these restrictions on knowledge should be removed, in order that the newspaper Press may be liberated from that great monopoly which now exists. I hope the time is not distant when there will be fair play and a clear stage for all literary men. It has been assumed by several hon. Gentlemen, that the editors of the greater portion of these small publications are men of abandoned character. Now, I have the pleasure of knowing some of these gentlemen, and I will venture to say, that they are as virtuous and upright men as the writers for the great newspapers. There may be some of these unstamped publications of a very absurd and improper nature, but I deny that this is the case with all of them. The fact is, that this House has been legislating for property alone for a great number of years, and the poorer classes have not been thought of. The truth is, that the working classes of this country are so depressed, and have been so shamefully used, that they are glad to read any publication written against the present system of making laws in this country. The more violent these publications are, with the more avidity are they read. If the hon. Member knew as well as I do what the situation of the labouring classes really is, I am sure he would not be surprised at their hatred of the laws. I know that in some of the large manufacturing towns of the north of England—and I would mention Huddersfield in particular—the greatest distress prevails; and it is with the greatest difficulty that the labouring classes can get three farthings an hour for their work, and certainly not more than 5*s.* per week. Any thing likely to lead to a change is regarded with the greatest satisfaction. The hon. Member said, legislate for ignorance; I say, however, legislate for poverty. You must lessen the expenses of obtaining knowledge, and afford every facility to the publication of good and cheap publications: this can only be done by removing the taxes on newspapers, and thus destroying that monopoly which exists at present. I protest against the character given to all these small publications; and I would ask hon. Gentlemen opposite, when they make these complaints, whether they never saw anything improper or unbecoming in the *Times*, or the other great papers. The Attorney General said, the other night, that it was in vain to attempt to convict the persons who published the cheap papers; and the only means of stopping the sale of them was, by prosecuting the unfortunate persons who were seized selling them. But the fact is, you have brought the labouring classes to such a state that you cannot put a stop to these publications. These men are quite willing to go to gaol for selling these publications; and those who are punished are looked upon as martyrs to the cause of the lower orders. If the hon. Gentleman presses this Motion to a division, he shall have my vote; but I think that it is unnecessary to do so, as the noble Lord admits the principles to their full extent. Indeed, he could not oppose this first resolution, for, if he did, he would be voting against a self-evident proposition. I am convinced that this will be one of the first measures which a Reformed Parliament will take up, and, I trust, bring to a successful isssue.

Colonel *Evans:* I certainly think, that the noble Lord might, without any injury to the revenue, reduce this duty at once.

The whole amount received is a very small sum, and when the good that would result from the reduction is considered, I am surprised that the Motion should not be assented to. I certainly did not expect to have such objections, as I understand were used by the noble Lord, against this Motion. As, however, he chooses to persist in opposing it, I can only express my regret that he has seen reason to change his opinions on the subject.

Lord *Althorp:* I beg to observe, that I have not changed my opinion on this subject; so far from it, I distinctly stated that I agreed in the principle of the proposition, that I regretted I was not able to support it, but that my objection was based entirely on a financial ground. With respect to the amount of revenue derived from these newspapers, I would observe, that it is not very small; for it is considerably more than 500,000*l.* a-year.

Colonel *Evans:* I was not in the House when the noble Lord spoke, but I was informed of the nature of his address by an hon. Gentleman; but I am glad to find that I was mistaken.

Mr. *Edward Lytton Bulwer:* I have made several notes in answer to remarks that have been made; but, in consequence of the turn the Debate has taken, I will not detain the House with more than two or three observations. I am surprised that the hon. and learned member for Boroughbridge has been the only Member who has opposed the Motion on the ground of injuring the existing papers. What! he whose vivid eloquence has so often thundered anathemas on the licentious, the revolutionary Press, now stand up as its advocate! Impossible! The hon. and learned Member cannot be serious. But my Motion would not injure the existing papers; for it leaves them their capital and their ability; and I am quite sure that the *Times* and *Herald*, to which the hon. and learned Member alluded, would not suffer in their pecuniary interests by the removal of the taxes, although, from the industry and competition of other papers, their influence might certainly be diminished. In concurring (and how can I avoid it?) with the unanimous feeling of all my hon. friends, whom I know to be as cordially as myself attached to the principle of my Motion, I wish it to be distinctly understood, that the noble Lord agrees with the principle of my Motion—that the time only is in fault—that my facts are unanswered—and that it is universally allowed that my Motion has, even in present defeat, or rather delay, considerably advanced the principles I have advocated. For the sake of the question itself, and that no vote may appear against it on the ground of the season, which hereafter would be assigned to the principle, I yield to the universal sense of the House, and withdraw my Motion, pledging myself to bring it forward in the next Parliament, should it be my fortune to have a seat in it.

Motion withdrawn.

INNS OF COURT—CASE OF MR. D. W. HARVEY.] Mr. *Harvey:** I rise, Sir, to solicit permission to introduce a Bill to give power to the Court of King's Bench in England, to compel the Benchers of the four Inns, in certain cases, to admit parties to become members of the societies over which they preside, and subsequently, having passed through their state of pupillage as students, to call them to the degree of Barrister-at-Law. I am aware of the obligation which every Member of this House, seeking to increase the number of our statutes, imposes upon himself, of clearly explaining the nature and vindicating the necessity of the new law whose adoption he advocates. Of this obligation, I will at once, and without circumlocution, proceed to acquit myself simply and briefly, as shall be consistent with a due understanding of the subject, for I am not one of those who consider the use or excellence of oratory to consist in the length or excursiveness of a speech, for which, to a mind so constituted, this case offers temptations difficult to be resisted.

To trace the history of our Inns of Court from remote times—at one period the seats of learning, at others the chosen scenes of royal revelry—to show how they have departed from their original utility as they have grown rich in money rather than in mind, would, no doubt, furnish matter not destitute of interest, nor altogether foreign from the occasion. In abler hands a gallery of the learned and distinguished men who have adorned these Inns might be introduced, and paraded in the discussion; and then, when measured by that standard which I have ventured to reject, might a speech of great pretension be made. But truth requires no such extrinsic aids, and the subject which I have risen to introduce to the notice of the House has its foundation so deep laid in truth, that to swerve from the straight line of simple narrative, for the sake of making a display of either oratory or learning, would be tantamount to a betrayal of the cause in which I have embarked.

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* Reprinted from the corrected Report, published by Ridgway, to which Mr. Harvey affixed this motto "In my opinion :—Mr. Harvey is the subject of the greatest slander of all men that live on the face of the earth;"—*Sir Samuel Shepherd.*

The subject, Sir, is one which involves great constitutional principles, especially meriting the attention of every class and degree of Reformers. By those who can tolerate no abuse, however sanctioned by time, the object of my Bill will be cheerfully supported, while to those who restrict their notions of Reform to the correction of abuses, as their actual existence may from time to time be shown, it offers an occasion for giving effect to their principles, which they will no doubt feel bound to embrace. And if it should be asked, as naturally it may, wherefore it is, that a measure possessing such claims to support should so long remain without an advocate, I should turn for an answer to the prevailing indisposition of the Members of this House to come forward upon questions which do not enlist the feelings and agitate the passions of men, or, I might find a more ready answer in the excusable aversion of unprofessional men to entangle themselves in any question which bears the impress of, or has even a remote connexion with, that awful subject, the law—an aversion which becomes almost insurmountable when it is known, that whoever meddles with such sacred subjects brings himself into collision with men practised in all the ingenious artifices of debate, and who are too apt to infuse into their opposition no slight portion of that studied sarcasm and forensic bitterness which they always have at command.

These, Sir, I admit, are but ignoble fears, and such as I hope, will never make me their slave. But they are, as it appears to me, vain as they are ignoble; for this is not a question of abstract law, or one that can fairly invite that species of ungenerous hostility which I have endeavoured to describe.

Every man who merits the distinction of being a constitutional lawyer must be the willing supporter of this measure, for it is founded upon principles of which the ablest of their order have been the most eloquent defenders. These principles are two, and they are the foundation of every law that claims alliance with moral justice. First, that there can be no wrong without remedy—or, what is the same thing, no right without some means of adequate vindication. Second, that there can be no punishment, however slight, which is not preceded by a verdict pronounced by the peers of the accused, under the sentence of a responsible Judge, agreeably to known and defined laws.

The cases which it is my object to meet, proceed upon a palpable violation of both these fundamental principles, and when they are stated to the House, as it is my purpose to do, it cannot fail to excite the astonishment of all who hear me, that any instances can be cited in which injury has been sustained by the contravention of these principles.

If there be one object dearer than another to the people of this country, which cannot be too highly prized or too sturdily maintained, it is, that every path of honest reward and honourable ambition should be open to the lowliest fortune. The Crown itself, for reasons of obvious policy, is placed beyond the grasp of individual ambition. All other stations, however lofty or proud, may be, and have been, attained by the successful efforts of talent and perseverance. In every condition of life laurels may be won, and a lasting reputation secured; but there is one pursuit which, of all others, is pre-eminently the people's patrimony—which cannot be monopolized by birth, nor obtained by servility—it is that of the law. It is a thorny path, only to be successfully trodden by original and dauntless minds, although its steps may be quickened by the influence of friendship, powerful connections, and the force of favourable circumstances. Other callings and their honours are not so hardly earned. Mitres may sit on the brows of political aristocrats, and crosiers may be wielded by men of slender sense, but an instance is not to be found in which pre-eminent success in the law has not necessarily been connected with superior pretensions. That advantage has been obtained by soft and suspicious compliances, while men of sterner and purer principles may have been unjustly overlooked, there are too many instances about us for this to be doubted. The law, then, as it must be obeyed by all, should be open to all. A monopoly in this respect would be, of all monopolies, the most odious, and, when the working of it is explained, cannot be allowed to survive its exposure. And such a monopoly does exist, and against its working there is no remedy whatever. It bends to no power, it defies all authority, and is in itself an entire and perfect despotism. No Member in this House, no man out of it—however rarely gifted, however richly endowed—can of right go to the bar; indeed, these are qualifications well calculated to frustrate his purpose, for all monopoly is based in interest.

Our Inns of Court are four in number—Lincoln's Inn, the Inner Temple, the Middle Temple, and Gray's Inn. Each Inn consists of a select few—known as Benchers—a considerable and varying number of Students, as also of Barristers; and the rules of their government are pretty nearly the same in all. They call themselves voluntary societies, self-existent and independent—annulling and making laws at their pleasure, or as it suits their convenience or caprice. The portals of the law, as a profession, are exclusively in their hands. They claim and exercise the right of receiving or rejecting whom they please, and in this exercise of their pleasure they admit of no control or interference—their decision is final and without appeal. This is no longer a matter of conjecture, for this right was recently recognised in the solemn and unanimous judgment of the four Judges of the King's Bench. I allude to the case of Mr. Wooler against the Benchers of Lincoln's Inn, to which I request the attention of the House. And, to guard against all misapprehension, I refer to the case itself as it appears in the Term Reports; by which it appears, that that gentleman, after several applications at the office of the Steward, received a letter, stating, that his application for admission to the Society of Lincoln's Inn was rejected by the Treasurer and Masters of the Bench. He renewed his application, urging a statement of the grounds of this rejection, and expressing his anxiety to afford any information or evidence as to his character and conduct. To which renewed application he could only obtain a verbal answer from the Secretary, that no order had been made upon his further petition. Thus foiled in his object, and denied all explanation and redress, he addressed a petition to the Chief Justices of the four Courts of Law at Westminster, praying that their Lordships, as Visitors of the Inn, would forthwith request the Masters of the Bench to certify to their Lordships their objections to his application to be admitted a student of that society, when he received the following answer from the Clerk of the Lord Chief Justice of the Court of King's Bench:—"Serjeants' Inn, April 30, 1825.—Sir;—The Chief Justice has directed me to inform you, that the Judges have no power to interfere on the present occasion." Unwilling to be defeated in a darling object, for which he had already partially qualified himself, and anxious to perfect himself by further study, he once more addressed the Benchers, imploring them to state the grounds of their objection, and to institute the most rigid scrutiny into his pretensions. To which just and reasonable application he received the following note from the Steward of the Inn:—"Sir;—Your petition, dated 13th May, 1825, was taken into consideration by the Benchers of Lincoln's Inn at a general Court, and was rejected." Have I overcharged the description of this tribunal when I call it a perfect and odious despotism?

Here, then, Sir, is the case which I put to this House. If this answer of the Lord Chief Justice be consonant with the law, and, as I shall presently show, we have the highest judicial authority for asserting that it is, will this House agree to the law remaining in this state? Will this House refuse to give the Judges that remedy which, it appears, they have not under the law as it stands, but which they must be willing and anxious to receive from any competent authority? I cannot believe that the House of Commons will refuse to step in for the correction of an admitted abuse which it falls within its peculiar province to amend, and for the amendment of which there is no other power in this State.

Mr. Wooler, in that spirit of freedom to whose manly exercise upon other occasions may be attributed this unjust and vindictive opposition to his claims, immediately applied to the Court of King's Bench for a *mandamus*, to compel the Benchers to admit him a member of their society, for the purpose of qualifying himself to become a Barrister. Mr Wooler supported his application in person, and if I were now seeking the evidence of his fitness, or the probable cause of his unmerited defeat, I would produce the masterly and logical speech he made upon that occasion. It was an effort which not only received the applause of all who heard it, but called forth the commendation of the Lord Chief Justice. What said the Judges upon that occasion? 'I am of opinion,' said the Lord Chief Justice, 'that the 'Court has no power to direct the required 'Writ, and if the Court has no power to 'direct the Benchers of Lincoln's Inn to 'admit this gentleman a member of their 'society, of course we cannot compel 'them to assign their reasons for refusing 'him admission; and (he added), that 'the Court had no authority by law to do 'what the applicant required.' Mr. Justice Bayley followed, and observed—'I 'have thought of this matter over and over 'again; and I have not the least degree 'of doubt that the Court is not competent, and has not the power to grant the 'Writ for which Mr. Wooler applies. 'This Court (he said) had no control over 'the admission of Members; they may, as 'far as I can judge, exercise an unlimited 'and even a capricious authority upon 'the subject, and yet this Court would 'not have any power of saying that such 'power shall not be exercised.' Justices Holroyd and Littledale re-echoed these opinions; the latter, in reference to the power of Judges as visitors, to which I shall have to refer in another branch of this subject, observed—'If the student 'be once admitted, and has afterwards 'acquired an inchoate right to be called, 'then that right may be perfected by appeal to the Judges; but, even in that 'case, the decision of the Judges is final, 'and this Court has no authority to grant a '*mandamus* to have the party called at all 'events.' Here, then, I would pause, and ask the House, whether they are prepared to sanction the monstrous doctrine, that the Bar of England, with all its honours and rewards, shall be exclusively in the hands of any body of men whatever, however respectable they may be? No honest man can covet such power, for it is totally incompatible with the rights and liberties of the subject.

Having, then, I apprehend, established the point, that the Bar is virtually a monopoly, and that there is no redress whatever for him who seeks to become a student of the law and is rejected, I shall proceed to show, that the remedy which this Bill contemplates is the most efficient and accords with the practice in similar cases, and ought also to be available under the circumstances which form the second part of the Bill, and the case to which it applies. What is the course pursued in these Inns towards the successful applicant to be admitted a student? He is required to produce a written testimonial from two gentlemen of the law as to his character and connections, upon which, if there be no objection, he is admitted on the books, and becomes a member of the Inn. This preliminary step may be the last. But if the object of the student is to be called to the Bar, the following is the curious discipline to which he must submit:—Unless he be a member of one of the Universities, his name must be upon the books of the Inns for five years, during any portion of which time he must keep twelve Terms, which obligation is comprehended in the dining in the Hall four times in each Term; but, before he enters upon the important process of eating his way to the Bar, he must enter into what is called the Fellowship of the Inn, which consists in the payment of 100*l.*, and the execution of a bond by himself and two friends for the due payment of the cook's bills, for eating; and certain small fines or fees. All this being done, he becomes learned in the law, and must then apply to one of the Benchers to name him in their parliament chamber, which, if complied with, he is ushered into their presence — mutual healths are drank, and from that moment the student becomes a Barrister-at-law, and qualified to assume those awful appendages of his profession—a gown and wig. Briefs and fees may follow.

All this is well and straight-forward, but I now come to the unheard-of and tremendous powers with which these cloistered Benchers arm themselves—a power which monarchy itself cannot exercise, and which is totally opposed to every principle of common sense, or justice, or honesty. Their inquisitorial authority is co-extensive with a man's being. They exercise jurisdiction from the hour of his birth to the day that they strangle him. There is no matter, however secret, no cause, however personal or civil in its nature, into which their powers do not penetrate. They are not content to limit their jurisdiction to the conduct of their members after admission into their society, but, when it suits the purpose, either of any individual or the entire body, they grasp all time and all objects. It is true, if they hesitate to call an individual to the Bar, they will give him a private hearing, although they are not bound to do it; but no charge is made, and no prosecutor appears, but the applicant is at liberty and expected to explain any circumstance, or series of circumstances, to which they may in conversation direct his attention.

I delight to dwell on facts, and as I am now denouncing the persecuting influence of this secret tribunal, so I will not deal in imaginary or illusive statements. I will confine myself to the facts of a case, without going into any of the details, with which I am peculiarly conversant.

And in order that the House may fully understand the terrific extent and effect of this power, I must earnestly solicit its attention to dates. In 1813, a Solicitor was admitted a member of one of these Inns of Court, producing at the time the requisite testimonial of his character and connections, stating upon the books of the Inn, that his object was to be called to the Bar. Thus matters stood till 1818, when the same individual applied, and was received into Fellowship, paid his money, and gave his bond to the effect I have before described, and having in all things most irreproachably observed the rules and ordinances of his Inn, applied at the expiration of his three years, or twelve terms, to the Benchers to be called to the Bar. But as a preliminary to this measure, and without which he could not be called, for such was and is the regulation of the Inn, he had applied to the Court of which he was an Attorney two whole years previously, to have his name struck off the roll of Attorneys, stating the ground of his application to be, that he purposed to be called to the Bar; and it is within my own knowledge, that the practice this person actually relinquished, and which was at the time rapidly increasing, had averaged, the two preceding years, 2,500*l.* Here, then, was an actual sacrifice of 5,000*l.* as an indispensable premium for his qualification. Now, Sir, as I observed before, though nothing could have been so gratifying to this party, by whom no boon could be so highly estimated, as the minutest and the most public investigation of all the circumstances of his singularly hard and oppressive case, yet I shall abstain from noticing them in the slightest degree, unless it shall suit the purpose of any hon. Gentleman to revert to them, in which case I shall claim the right, with the kind indulgence of the House, to enter fully and at large into them. It is sufficient, for the purpose of this part of my motion, to state, that this gentleman was called upon to give a narrative and explanation of two civil actions, in one of which he had been a plaintiff, and in the other a defendant, the cause in both of which took place three years before he became a member of the Inn, eight years before he entered into Fellowship, and eleven long years before he applied to be called to the Bar, and this, too, when the objections, if such they were, were known to the Benchers when he executed his bond, and consequently, long before they knew he must apply to abandon a profitable profession as the premium of his practice in another branch of it.

Why, Sir, I should say, that if, under other circumstances, these objections had been strictly available; if the cause of them had occurred subsequent to his admission into the Fellowship of the society; if, in fact, they had been in all things just the reverse of what I know them to have been—strictly honourable and correct—yet I contend that such a course of conduct was consistent with no rule of justice, and could not have been sustained for a moment in any Court of Law. In this case the Benchers, of whom it is not my desire, on the present occasion, to speak with harshness, or now to describe the singular course they pursued, thought fit to refuse this gentleman's application. And I know it will be said, that they exercised this power with the full knowledge that they were amenable to the twelve Judges as visitors, and who assumed the right of acting, in such cases, in the nature of a domestic forum, and to that tribunal, under the sanction of two eminent counsel, one of whom is now in this House, an appeal was made, by way of petition, by the party whose case I am now stating. Waiving all grounds of objection, as before stated, I will only remark, that the character of the transaction, which had its origin in a civil action, and was entirely a question of *meum* and *tuum*, depended upon the existence of a certain document, which was doubted or denied by the Benchers. The learned Counsel before alluded to, advised the production before the visitors of certain written and oral testimony, which established, beyond all dispute, the existence of the document, far more so than its production would have done, for the individual offered to produce the person who drew the instrument, another person who copied it, two persons who witnessed it, the individual who signed it, the person who sold the stamp for it, and thirteen distinct and impartial persons who had seen it, and yet is the House prepared to hear what I am now about to state?

The hall in which these learned visitors assembled was crowded, as were all its avenues, with Barristers, Solicitors, witnesses, and friends. The short-hand writer was there also; and what were the first words pronounced by the Chief Justice, in taking his seat? "Every person in this hall, except the parties concerned, must instantly leave it, for this is not a Court of Justice!" The bare announcement of such a power as this, so destructive in its influence, and yet so entirely remediless, is sufficient to lead to its correction by this House. And who could hail this correcting interference more eagerly than the learned Judges themselves? For we must bear in mind, that the first object of our solicitude should be, not to keep this or that profession pure, but to keep our public tribunals pure—to preserve the principles of legal justice inviolate—to guard against the establishment of any jurisdiction that may be the medium of irresponsible oppression.

As I observed before, I touch not the merits of the case. If they were adverse to the party, or in his favour, public justice demands that they should be known; that, if wrong, future applicants may steer clear of similar inconveniences, and, if right, that no man may be the subject of unmerited reproach. All secrecy in matters of justice is wrong in principle, and never can work well. It may profit crime, but endangers innocence, and never can benefit it. In the case of Wooler, the twelve Judges tell us that they only decide as a domestic forum, which renders a *mandamus* unnecessary, indeed unattainable. This was the first time that we ever heard of such a forum in the judicial system of this country. A domestic forum! Whence had it its existence? And from whence did its authority emanate? If such a forum do exist, God forbid that any man who has the honesty to maintain his political principles should ever come before it, or should ever attempt to serve his country by efforts to curtail the vicious profits of his profession. But I deny the existence of such a tribunal. Parliament knows it not. The King in council knows it not. The Constitution knows it not. What is meant by the term domestic forum? Are the twelve Judges of the land, closeted in secret, to take cognizance of the concerns of private life? And, if so, what is the nature of the transactions which their curiosity may explore, and their sensibilities denounce? We are constantly told, that Christianity is part and parcel of the law of the land. Are the high injunctions of Heaven observed by this tribunal? Is the individual who shall have been convicted of the greatest of all moral felonies, in depriving a husband of his wife, and the children of a guardian, and upon which a Jury of Englishmen have pronounced a large pecuniary penalty—would this, as a matter of course, subject the wrong-doer to his exclusion from a profession by whose profits he might repair his fortune, and by its honours redeem his reputation? Whatever are the grounds of actual or constructive exclusion, they ought to be known to the candidates of the profession, and the grounds of the charge should be traversable before the public eye, and subject to the rules of open Courts and acknowledged evidence. All else is mockery and injustice of the most odious kind. And what is the remedy? That which I submit by this Bill. This is no new or untried experiment. The writ of *mandamus* is a high prerogative writ, as old as Edward 2nd, and has been termed by Blackstone "the flower of the King's Bench." The universality of its application is the best proof of its confirmed utility. Speaking of it in a case in which its remedies were conceded, that able and upright lawyer, Chief Justice Pratt, observed—'it is 'the happiness of our Constitution, that 'to prevent any injustice, no man is to be 'excluded by the first judgment, but that, 'if he apprehends himself to be aggrieved, 'he hath another Court to which he can 'resort for relief. For this purpose the 'law furnishes him with appeals, with 'writs of error, and of false judgment, and 'lest in this particular case the parties 'should be remediless, it was absolutely 'necessary for this Court to require the 'University to lay the state of their 'proceedings before us, that, if they have 'erred, the party may have right done him, 'or, if they have acted according to the 'rules of law, their acts may be confirmed.' And in a subsequent stage of the proceedings, the same learned Judge pronounced in favour of a peremptory *mandamus*, observing:—'This Court will relieve the 'applicant if he hath been proceeded 'against and degraded without being heard, 'which is contrary to natural justice.' If, then, it be contrary to the laws of honour and nature to deprive a scholar of his degrees, which was the subject in contest, how much stronger is the claim of a citizen when he seeks to vindicate his rights? The one case affects a whole University, the other a whole nation.

Sir, I am not singular in my impressions of this power. The late Mr. Sheridan, when he vindicated with his unrivalled eloquence, from the premeditated assault of the Benchers, the rights of gentlemen connected with the Press, denounced the proceeding as a stigma on one class of men, as highly illiberal and unjust, and as the surest way to make them disaffected to the State. He was followed by Mr. Stevens, in a speech which reflected infinite credit upon his attainments and his heart. Untouched by the ignoble pride which is too often felt by men who cringe to the accidents of fortune, he told the tale of his own success, and stated, that had the rule been applied in his case, he must have been excluded from the profession, and probably from Parliament itself. The union of so much eloquence and good feeling shamed the Benchers of Lincoln's Inn into decency, and the petitioner upon that occasion was successful. Upon his account I rejoice, but upon every other I regret it, because those distinguished men would have followed up their intimation to introduce a remedial measure, which should have protected the citizens of a free state from the caprices of irresponsible and secret tribunals, and much subsequent injustice would have been prevented. We should not then have heard of the insulting intimation that an injured party had his redress—and such a redress, too—an appeal from a Star Chamber to a High Court of Commission!—and the humble individual who now addresses you would have been spared the advocacy of a cause which, in his hands, has no chance of success beyond its intrinsic merits. The hon. Member concluded by moving for leave to bring in Bill.

The *Attorney General* said, I am sure the hon. member for Colchester will readily suppose, that there are numerous personal considerations which would make me unwilling to speak upon this subject; for, although I am in a situation which calls upon me to consider, on the part of the Government, any proposed change in legal practice, and although I happen to be treasurer of Lincoln's Inn, to which Society he has applied so many not very liberal remarks, yet there are circumstances in my particular relations with that hon. Gentleman which would make me extremely desirous of not entering into the present inquiry. I shall not touch upon the mysterious allusions with which he concluded his speech, for I do not in the least degree affect to understand to what they may relate, but I stand upon the simple question of whether it is or is not proper to introduce the innovation proposed by the present Bill. I do not question that the writ of *mandamus* is highly beneficial to the people; I do not deny that there are numerous instances, in which it is necessary that it should issue; but I do question very much whether the hon. Gentleman states the law correctly when he says, that no discretion is to be invested in any body of persons whatever, and that every man is to be treated as having received a wrong, for which a remedy must be provided, if he be excluded from advantages which he may think proper to desire. In principle, a man has no more right to complain of being excluded from the advantages of a profession, the admission into which is to be attended by compliance with certain conditions, than he has to complain of being excluded from a public situation for which another individual may be considered more fit. There were parts of the hon. Gentleman's speech which might call upon me to defend the present practice from the charge, not of making the law too much of a monopoly, but of leaving it too open, for he says, that an Attorney, who is trusted so much more than the Barrister, is admitted to practise his profession without any proper inquiry, and that students are admitted into these Societies without any inquiry into their fitness, learning, or character, simply because they profess themselves willing to eat a certain number of dinners. The hon. Gentleman, however, complains not of too much laxity in the admission of students, but of such an improper exertion of power in excluding individuals as to make a new law for its restraint necessary. The hon. Gentleman also raised the question of whether it is fit that the Benchers, having once admitted a student into their society, should exercise the power, controllable only by the Judges, of refusing to call him to the Bar. Taking the case in the abstract, without reference to particular individuals, I must say, it does appear to me, that there ought somewhere to be an inquiry into the fitness of gentlemen who are to be allowed to practise at the Bar. The inquiry must go to the questions of whether the party be fit to associate with gentlemen?—whether he has borne a fair reputation in the world?—whether his character and conversation have been good?—whether you have security for his conducting himself as a man of principle when intrusted with the important concerns of individuals? But I appeal to every Gentleman who hears me, to say whether you may not feel disinclined to intrust a particular person with your affairs, although you can make no specific charge against him which can be laid before a Jury? The Benchers of the different Inns have, from the earliest times, exercised the power of inquiring into the character of an individual, with a view to ascertain his fitness to be admitted to the Bar; but they have exercised it in a manner which has made it hardly possible to select three cases of complaint. I wish to avoid even the appearance of retorting on the hon. Gentleman, but when we hear of the dread the Benchers have of transcendent talent interfering with the supposed interests of their sons and nephews, and recollect the characters they bear, and under whose control they act, it is difficult for me to avoid using language which I might hereafter have cause to regret; but I will say, that these gentlemen, being at the head of their profession, and most of them advanced in years, form a very fit body in whom to vest the discretion which I maintain must be somewhere intrusted. But do not such restraints exist in admission to other professions? Is not a preliminary inquiry instituted in other cases? Every man has a right to a good education; but a college is not called upon to show cause why it will not admit a party that it does not like. Every college at the University has the right of determining whether it will, or will not, admit a student. It is this right which is exercised by the Inns of Court. A similar practice exists in the medical profession, only, perhaps, of a more strict nature. It exists, also, in the clerical profession; and if a Bishop refuses to receive a person into Holy Orders, he is not called upon to state his reason for doing so. He exercises his own judgment; and if he be satisfied that the life and conversation of a party make him unfit to become a clergyman, I am not aware that any *mandamus* can issue to interfere with his decision. I will not enter into many of the eloquent observations of the hon. Gentleman, some of which, I think it must be evident, bear more the character of oratorical antitheses than of sound arguments; as, for instance, his position that, because all men are amenable to the law, all men should have access to its emoluments and honours. I think it reasonable, as well as merciful, to the party himself, that the Benchers should have the uncontrolled power of regulating the admission of students. A man having once been admitted a student, has the power of carrying any complaint against the Benchers before the Judges of the land, whom I do not suppose the House will think, with the hon. Gentleman, are so fearful of admitting transcendent ability to the Bar, or that they require attornies, before they are called, to cease their practice for two years, because they may be uncomfortable competitors with those in whom the Judges are interested. But does the hon. Gentleman really and seriously mean to assert, that the reason for not calling attornies at once, is their knowledge of the law? Does he not know that there is the best possible reason for the delay he speaks of? That reason is, that otherwise the profession of an Attorney would be made a stepping-stone to obtaining success at the Bar, through the medium of connexions formed with that lower order of the profession, in a manner which could not fail to be in the highest degree injurious to the character of the profession. The Judges, then, have the power of reviewing the decision of the Benchers in refusing to call a man to the Bar; and they are, no doubt, anxious, upon entering into their inquiry, as well as the Benchers themselves, to find that particular assertions with respect to an individual are untrue, and that he should be admitted to practise at the Bar. But then it is said, that if the Judges agree in the decision of the Society, great injustice is done, because the party has for five years been cherishing the hope of becoming a member of the profession in which he aspires to practise. This objection is a complete vindication of the power exercised by the Judges, in refusing a man admission as a student in the first instance; and I think the hon. Gentleman admitted, in so many words, that it was an advantage to Mr. Wooler to be rejected in the first instance. It is true that, in this case, an individual has not the power of appeal to the Judges, because the domestic power they claim extends only to members of the Society; but still it must be an advantage to the individual to be told not to spend five years in vain hope, when it was intended to object to him. I say, then, in the first place, that it is fit that a power of inquiry into the character and conversation of persons claiming to be admitted students at law should exist somewhere, and that that inquiry is now intrusted to proper hands. In the second place, I say, that the control over the Benchers with respect to the calling of Barristers is efficient and perfect, as far as any thing in the power of fallible men can be perfect. But then, says the hon. Gentleman, publicity with respect to their decision is absolutely necessary. No doubt, with respect to the trial of facts, publicity is necessary, but I do not think it necessary with respect to the general effect which may be justly produced on the minds of men, independent of specific facts, capable of being subject to legal examination. The hon. Gentleman has, undoubtedly, given great point and great interest, with which I have no disposition or power to enter into rivalry, by connecting with his view of the subject the two particular cases, with the detail of which he filled so much of his speech. One was the case of Mr. Wooler, as it was brought before the Court of King's Bench, and the other the case of an individual whom he did not name; but it is probable there is no man in the House who is not aware that the circumstances he described in so affecting a manner related to the very individual who was addressing the House. I shall take the two cases he has mentioned as illustrations in favour of my argument for letting the law remain in its present state. With respect to the hon. Gentleman himself, I can assure him, that it is with reluctance I enter upon the statement of his case; and I should not have done so, had he not forced it upon me by making it a strong argument for an alteration of the law. I will, however, take the cases in the order the hon. Gentleman himself did. What was the case of Mr. Wooler? It is insinuated that he was the victim of political principle, and that his great talents had made him dreaded. I can only express my perfect conviction, that the fact of Mr. Wooler being known as a strong politician, and a person of great eloquence and power, so far from being objections to his admission, would rather have weighed with the Benchers in favour of admitting him, from the dread of the very imputations made by the hon. Member. I agree with the hon. Member, that Mr. Wooler is a man of great talent, and has, I believe, borne a respectable character, but he was the author of a publication called *The Black Dwarf*, which was certainly charged at the time as a publication of a most inflammatory and abominable nature. I have not furnished myself with a copy of the publication, but I know that that was the feeling of a great majority of the Benchers. The hon. Gentleman says, that if there is a Bencher of Lincoln's Inn present, let him step forward and explain the cause of Mr. Wooler's rejection. I am a Bencher of Lincoln's Inn, and say, that I have no doubt that the fact of Mr. Wooler being the author of *The Black Dwarf* weighed with many of the Benchers, and led to his rejection. I have no personal interest in what was done upon that occasion, but everybody is aware of what was done with respect to Mr. Wooler's publication. I have no doubt that, in the ardour of youth, and under the excitement of the moment, much was done that would warrant the Benchers in saying, that the author is not a person fit to associate with the members of this Society, or to be permitted to come to the Bar. I hope it will not be thought, because this was a political publication that the Benchers have laid down any rule that the writers of all political publications are to be excluded from their society; but Mr. Wooler's was a publication that was supposed whether rightly or wrongly I will not say, for I express no opinion on the subject—to be intended to provoke the worst passions of mankind, and excite the people to acts of tumult and sedition, and very likely to promote that kind of ulterior object which was alluded to by the hon. Gentleman who moved for the repeal of the stamp duty on newspapers this evening, as contemplated by some publications of the present day—that is, by no means unlikely to lead to personal violence towards the individuals against whom the observations of the writer were directed. Now, I repeat that I do not say whether this publication was of a nature to warrant such an opinion being formed of it; but I do say, from my own personal knowledge, that this opinion was most sincerely entertained by the majority of those by whom Wooler was excluded, and I firmly believe that his exclusion took place in consequence of his having been in close connexion with what they considered a most infamous and atrocious publication. For the purpose of carrying the case a little further I will add:—supposing this Bill had at that time existed; supposing there then existed a power of calling upon the Judges to issue their writ of *mandamus* for the purpose of compelling the Benchers to assign a reason for their refusal to admit Wooler; in the first place, I assert, without fear of contradiction, that the Benchers would have been justified, by the analogies of the law, in stating—"We have made inquiries into the fitness of Wooler, and we find notorious facts on the subject of that gentleman's conduct, which induce us to believe him an unfit person to be entered as a member of the Society." If I am not completely and entirely mistaken in my view of the doctrines of the law upon such points, that answer would have been considered perfectly satisfactory. On this point, however, I am quite confident, that if the Benchers had made a return as follows:—" Mr. Wooler is the author of *The Black Dwarf*, and we will show you twenty letters in that publication directly tending to the assassination of the parties alluded to." Mind, I am not asserting the fact, I am merely supposing a case—I am merely supposing that the Benchers had made such a return, and I say, if such a return had been made, the Judges would have said, " Your decision is quite right. If Wooler is the author of these letters which are denounced as containing such sentiments, you did quite right in refusing to admit him." The question, therefore, would have been placed—supposing this Bill to have been in operation at that time—precisely in the situation in which it stands at the present moment, except, indeed—and I admit this—that you would have the opinion of the Judges instead of that of the Benchers. Without expressing any opinion upon the facts, I say, that such facts would be a sufficient justification of a refusal to admit any person. Now I proceed, passing over the objection that persons should have a year before they are called upon, to another objection, on which the hon. Gentleman laid great stress. It is stated that there at present exists an authority of a most atrocious and disgraceful description, of instituting a partial inquiry. I am not sure that the word partial was used by the hon. Gentleman, but, at all events, the hon. Gentleman called it an inquisition, and he was not slow in exciting all the indignation that the most dreadful suppositions could attach to a court of inquiry which proceeds in secret and in private, without giving the party any opportunity whatever of answering the charges which are brought against him—which leaves him blind as to the nature of the charge, and dumb as to his power of replying to it. Now, if I am not mistaken as to the facts of the case referred to, which happened fourteen years ago—I think in the year 1818,—the facts are these: I am not certain of the exact date at which the case occurred, but it was at a remote period, and it is rather singular, and I think well worthy of remark, that no application was made to this House upon the subject, during the long interval to which I have referred; it is singular, because the Committee of Justice has been appointed at the commencement of every Session, and there has, I am sure, always been on the part of this House, every disposition to entertain complaints of this description. This House has ever been ready to side with any individual who appears to have been in any degree injured by the undue exercise of an arbitrary power. That is the particular characteristic of this House, and always has been; and I am sure that this feeling will be in no degree lessened when the party injured is one of its Members distinguished for talent and eloquence. The hon. Gentleman has said, that he who is unfit for the bar, is unfit to be a Member of this House. Very well; I am sure the House would have been most jealous of any one of its Members being unjustly dealt with; and I am perfectly convinced that any such inquiry would have been received with very great favour and indulgence towards the injured party. But what were the particulars of that case? I will state them as far as I am able to remember them, having no idea whatever that any particular reference would be made to them on the present occasion. The hon. Gentleman has said, that however distant the period may be at which facts occur, however much the difficulty of proof may have been increased by time and accident, the party is sure to have them urged against him, and unfortunately, in some cases it is so. Now, I cannot but proceed to advert—I am bound to do so, and I can assure the House that I do it with considerable pain—to one particular case, which was brought before the Benchers of the Inner Temple, and afterwards before the Judges in Serjeants' Inn—a case in which there was no doubt—in which there was no question as to proof—and in which there was the verdict of twelve men on a subject of the greatest importance to the character of the individual concerned, that individual having taken legal proceedings for the purpose of clearing his character, for he actually brought an action for slander. I am speaking now, I believe, correctly, though possibly with an imperfect recollection of the case. My memory, however, goes to this—that there was an imputation cast upon the individual who was excluded from the Society, and who was refused to be called to the bar by the Inner Temple. He had been slandered, as he said, in early life, when in the office of an attorney, by being charged with having stolen a document from the office of another attorney. He brought his action for slander; that other attorney justified the fact upon the record, and pleaded—"the fact is true." On that issue the cause went to trial. The Jury found that the plea was supported by evidence; and, accordingly, the plaintiff, who had so courted an inquiry into his character, had a verdict pronounced against him by the Jury, who found that the plea was correct—that is to say, that he was guilty of the act of stealing the paper, and his character did, unfortunately, labour under that imputation. He was refused admission to the bar; and, I ask the House, supposing that a writ of *mandamus* had issued on that occasion, can any man deny that the Court of King's Bench would have held the return to be sufficient? For myself I cannot doubt it. There is another circumstance. The hon. Gentleman has referred to it as a mere question of *meum* and *tuum*. Why, these mere questions of *meum* and *tuum* involve the characters of persons to a most important extent. The law of *meum* and *tuum* is the whole law of property of the country, and the conduct of the parties, as to the mere question of *meum* and *tuum* is the question, "Are you, or are you not, sir, an honest man." The case to which I refer, was brought to trial in some way or other on the subject of a contract supposed to have been made between certain individuals, and the question was, whether the attorney—he who brought this inquiry before the Judges and the Inner Temple—had or had not behaved to his client in a manner which could be considered fraudulent with respect to a purchase made by him. I do not remember enough of the case to enter into the particulars of it; but I have a general recollection that the question was, whether he was buying an estate for his client which he afterwards sold again, putting a large profit into his own pocket, or whether the client had sold it to him, and that profit was permitted to be made. The hon. Gentleman alluded to the case very obscurely, and I find it difficult to call to mind the particular details, but I believe these were the two charges. It is said, that case came on as an undefended cause. So it did: but I think a new trial was afterwards moved for, and not obtained. [Mr. *Harvey*: No. No new trial was moved for.] If I recollect right, a new trial was moved for. My memory of the facts, however, is uncertain. In the other case, however, if I recollect right, no new trial was moved for, and no further inquiry was instituted. Well, then, these are the unfortunate cases that were brought before the Society of the Inner Temple, and which induced that Society to say, "On the inquiry which has been made into these cases, we think that the person who has done these things, although he may be a man of the greatest talent," as he undoubtedly was, "of great eloquence, and very great public influence," which I will not attempt to deny, "still he is not, in our judgment, from various important reasons which it is unnecessary to disclose, fit to be placed in the Society to which we belong: and we being intrusted with the right of granting or refusing his admission into it, do not think we should properly exercise the discretion which is vested in us if we admit that person." That person applies to the Judges, and the inquiry which takes place before them leads them to confirm this sentence; and really there is something so humiliating in being called upon to defend the Judges of the land, whether in private or in public, from imputations of the grossest and basest partiality, that I can hardly condescend, for their sakes, to enter into their defence of such charges. The Society of the Inner Temple has rejected this individual, having previously established his culpability to their own satisfaction, and having given him an opportunity of answering and entering into the whole of the charge. It is perfectly true, that before the Judges, my Lord Chancellor and myself were charged with the duty of defending that individual. We did so to the utmost of our power, and I am sure with a strong disposition to persuade ourselves that there was nothing wrong in the case, or that, at all events, it had been greatly overcharged and exaggerated, and that the party accused might become a respectable member of society. The Judges, however, entered upon that inquiry; [Mr. *Harvey* said, no]—and I cannot, really if I am called upon, Counsel as I was in the case, say that they were prevented from knowing anything which would have been beneficial to the party accused, but the result of that inquiry was, to confirm the decision of the Inner Temple. Now, the only way in which that can bear as an argument on the present case is this—supposing the party had instituted an inquiry into that case, and supposing facts like these had been established in a Court of Justice, would not that have afforded such a return to a writ of *mandamus* as it would have been absolutely impossible for any one to question? Sir, I am quite certain, whatever the opinions of the Counsel might have been on that occasion, that they never advised an application to this House—they did not advise that which is open to every aggrieved subject on every occasion when power is abused. If there were a conspiracy—if there were really a desire to exclude for sordid purposes—if there were an unjust decision—either one or all of these matters might have been made the subject of inquiry before a Court of Justice in a variety of ways; and I am not sure that a Jury would enter into such an inquiry with any disposition in favour of the individuals who were supposed to be actuated by such motives. Now, I do not know whether Wooler was or was not convicted of the libel. I believe he was not; but it was notorious that Mr. Wooler was the editor of that paper. It was supposed that the other gentleman, to whom allusion has been made, had made an attack on the Exchequer, and that that was the motive for excluding him. I will only say, that the supposition never entered my mind. I well remember the attack in question; and I remember, with great satisfaction, having been present on the occasion, and having given the best assistance in my power to it. It is the only legal Reform that I ever knew effected by public complaint, and certainly a great Reform did take place, in permitting the taxation of the Crown bills; but I cannot, for one moment, enter into the suspicion that one single member, either of the Society that excluded the individual in question, or of the Judges who afterwards confirmed that decision, was actuated, in the slightest degree, by any undue motives, or by any reference whatever to that occurrence. It is admitted that some inquiry into the character and fitness of those who desire to enter the Inns of Court, must take place, and I wish to confine this discussion as much as possible to the mere question, whether the alteration proposed by the hon. Member is desirable or not? The amendment proposed is, that a *mandamus* shall issue to the Treasurer of the Society, compelling him to return facts, that may be tried before a Jury, in justification of the refusal to admit an applicant to the Society. My answer is, that there may be good reasons for the exclusion of an individual, which do not consist of facts that can be tried by a Jury—that there may be good reasons, which still are not tangible, which do not admit of proof; and I think this was fully shown in the case to which allusion has been made. Then, is there any ground for this Motion? It seems to me that there is not; I submit it with the greatest deference to the House; and it is for them to consider whether they will alter a practice which has subsisted for so many years without complaints. When we speak of complaints, we speak of character; and when we speak of character, we speak of that which frequently cannot be proved by particular facts, but which may, nevertheless, operate very justly upon a decision, as connected with the individual. It seems to me that, whatever may be justly said about the lax introduction of persons into these Societies, without sufficient inquiry, and however proper it might be to make the examination more strict, and the exclusion, by reason of any defect, more frequent, still, when you say to all mankind, these doors are open to you; if you wish to follow the profession of the law, enter at Lincoln's Inn, the Middle Temple, the Inner Temple, or Gray's Inn—all these Societies are ready to receive you; and if one of them has an unjust regulation, you may be sure all the others will oppose that regulation; and when there is only one qualification required, which is, that the party shall carry into that place a fair and respectable character, and shall be considered such a man as ought to associate with those who are already there, I do think that you can hardly conceive it possible for a more unobjectionable plan, or a more simple course, to be adopted with reference to these exclusions. Under these circumstances, I must say, that I do think nothing like a grievance has been made out; and this discussion, particularly the speech of the hon. member for Colchester, looks like casting reflections on the Judges of the land, from which their conduct ought to shield them. It is hardly possible to suppose any case in which so great a power has been exercised for so long a time with less objection, nor, indeed, in a manner more beneficial. There were various other topics introduced by the hon. member for Colchester, of rather a general nature, upon which I shall refrain from making any observations, because my entering into a discussion of them might lead to an inconvenient length of argument. The House will feel, I think, that these two cases, being the only ones out of a great number admitted, in which any exception has been made to the admission of an individual on account of his previous character, that no case has been made out for the proposed alteration. The hon. Gentleman has said—" You suffered me to keep my commons, and pay my fees, and it was only when I came to the bar that you found this out." Still the fact was within his own knowledge, and not in that of the Society; and, therefore, I must say that, under all the circumstances, I do not think any case has been made out for an alteration of the system, which has subsisted for so long a time, which it cannot be denied has worked well, and under the operation of which the character of the bar stands deservedly high.

Mr. *O'Connell* said, that from what had fallen from the learned Gentleman, it must be evident that the House ought not to leave the law as it then existed. Such a defence, and such doctrines and opinions, he had scarcely expected from a popular lawyer, and a reforming Attorney General. It was monstrous that any man of common principles should argue that a secret tribunal should have in a free country the right of disposing of the fortunes of individuals. He knew but too well that it was usual, and had been usual, a mere matter of course, from time immemorial, for official persons to get up in that House, and wherever else they could get up, and speak eulogies upon the Judges. He would only beg to refer to history, and it would be found invariably, and without the power of any decent or honourable contradiction, that no individuals had ever deserved less of the people than the Judges, with respect to their support of liberty and of the public rights, which they were bound to protect and defend. Persons had been heard to say that there was one superstition which still pervaded the country—a superstitious veneration for the Judges of the land. This was synonymous with " the dignity of the Bench," " the purity of the ermine," and similar metaphors; but consult the page of history, and it would be found that the Judges of England had been stained with every political crime. Was not this notorious? Were not the Judges, in political cases, always the abettors of the ruling power?" Who encouraged Charles 1st to levy the infamous and oppressive impost of the ship-money? The twelve Judges. Who excited and artfully drew on the passions of the people of England with the eagerness and cunning of a wily fox on a rank scent, in the case of the Titus Oates conspiracy, but the judicial murderers; the ermined ruffians on the judgment-seat drew the dagger of the law, and basely assassinated men charged with impossible crimes. And yet the Attorney General of that day could get up, like the liberal and patriotic Attorney General of the present day, and lavish his high-flown praises on such men as these. And, after all, even coming down to the Judges of the present day, were they the supporters of public liberty?—the guardians of the public happiness?—were they anxious for the general welfare? Was the present Chief Justice of the Court of King's Bench, for example, the advocate of civil and religious freedom? Had he given such support to a measure for putting an end to the system of oppression, bribery, corruption, and perjury, which belonged to an unreformed House of Commons, that they should pronounce eulogiums upon him? Take what cases they would, go through any period of history, and they would find, that the Judges were always the first to oppose any amelioration in the existing condition of society. Members might praise them if they pleased, but the people were beginning to open their eyes to the mischief of political Judges. Let the hon. member for Colchester persevere; he might be defeated in that House, but he would most certainly succeed hereafter, and he would obtain this—that there shall not be in free England a tribunal which sits, like the Inquisition, in darkness and secrecy, and decides like, the Inquisition, without hearing any testimony that anybody knows of, and without adhering to any fixed rule. The hon. Gentleman had not mentioned the case of Mr. Farquharson, which was brought before that House. The Benchers of Lincoln's Inn, in their wisdom, chose to establish a rule, that no man should be called to the Bar who had been a Reporter of parliamentary proceedings. Was not such a rule made? Was it not actually put in execution for a time? And was it not by the exertions of a gentleman, whose name is hailed in the annals of humanity as one of the first men that this or any other country ever produced, Mr. Stephen, that that rule was abolished? And might not any other of these men make a similar rule to-morrow, if he chose, and exclude any other class of persons for any reason he chose to assign? Now, let the House see how the law stood at present. In the case both of the Attorney and the Counsel you must take the greatest care, and you must regard with the most rigid scrutiny whoever you admit. Why, after you have admitted him, is anybody bound to employ him? There was no salary, no emolument whatever attached to a member of the profession. His only chance of reward was the confidence of the public; if he did not deserve it, he did not obtain it. Where then was the necessity of any tribunal to stand between the public and the practitioner? He took it to be altogether unnecessary; it had not been considered necessary in America, and its necessity in this country did not seem very obvious. There were rules in this country, too, that did not apply to the sister country. For example, in Ireland a man who practised as an Attorney, and wished to enter himself at the Bar, might continue to practise as an Attorney, and keep his Terms up to the very day before he was called to the Bar. He had never known any inconvenience arise from that rule, and he knew some of the most successful men at the Bar who had done so. He saw no good reason why a man should lose 4,000*l.* or 5,000*l.*, on the chance of being called to the Bar, as in the case which had been referred to. It seemed to him, therefore, that there was no necessity for this tribunal. What was done by admitting a man to the Bar?—You leave it open to the public to employ him. With respect to the case of Mr. Wooler, he was utterly ashamed at what had been said by the learned Attorney General. Mr. Wooler had been rejected in a private parlour, by a set of men who had arrogated to themselves the right to determine that to be a libel which a Jury of the country had afterwards pronounced not to be libellous. Wooler's case was monstrous, and, if that alone were not sufficient to impel every honourable man in that House to accede to the Motion, he should have no hesitation in saying, that the House had refused to do what they knew to be essentially just. Mr. Wooler had been tried for a libel, and acquitted. Was not the law of libel strong enough? Was it not vague enough to enable any Judge to convict an obnoxious individual? Was there any country in the world, possessing law, in which the law was stronger, or more conveniently uncertain? Why, one man had been tried, convicted, and punished for a libel, in calling Lord Redesdale a stout-built lawyer; and another for declaring that Lord Hardwicke was a sheep-feeder in Cambridgeshire. Nothing, anything was a libel. The libel of to-day was not the libel of to-morrow, and *vice versa.* "Give me a good Judge, one of those venerable and righteous men whom, according to the Attorney General, it is a disgrace to be obliged to praise—give me a proper Judge, and a selected Jury, and I will make out plenty of innuendoes in the Lord's

Prayer, which the learned Lord on the Bench will pronounce to be clear, indisputable, downright libels." The Benchers, in the case of Wooler, had found what a Jury had negatived, and they had passed a sentence upon him amounting to capital punishment. But for this most iniquitous proceeding, a proceeding so truly disgraceful to all who participated in it, and to all who defended it, Mr. Wooler might have been making many thousands a year, by a fair and honourable exertion of his talents. He might have been a leading man in that House, and have acquired one of the largest fortunes in the country. How had this person been deprived of the right inherent in every man, to bring forth and avail himself of the natural talents with which Providence had endowed him? Why, by a secret inquisitorial Court condemning him for that of which the laws and a Jury of his country had acquitted him—by condemning him without a trial —and yet the House of Commons, the public of England, were to be told by the learned Attorney General, that all this was perfectly proper. It was monstrous. In what quarter of the world could this have occurred, except in England? In what place in the world could such deeds be praised but in England? But ought not Mr. Wooler to have had his *mandamus* in order to controvert the allegations of these Benchers? Oh no; the learned Judges prevented this, and Mr. Wooler was condemned, proscribed, and shut out from the use of the gifts of nature, because a secret inquisitorial knot of Benchers chose to pronounce illegal, and punish as criminal, what the laws of the country and a Jury solemnly determined to be legal and justifiable. The hon. member for Colchester—for every body knew that the hon. Gentleman spoke of himself, and it was useless to deny the fact—had a charge made against him on the other side, which, if it were true, would certainly be conclusive against him; but surely it was but fair—it was but just—to give him an opportunity of traversing, and of letting a Jury determine whether the allegations were true or false. It was said that a Jury had already determined the question; but how stood the case? Did not public justice require, that the decision should be made more satisfactory by being put upon record? If, as in Wooler's case, the decision was unjust, so in the other it was unjust to the public, for this inquiry did not admit of that investigation which would satisfy the public, or which would clearly militate against the innocence of the party, for all these things might be stated of a perfectly innocent man; and he had a right, indeed he was bound, to believe for the present, that they were, every one of them, totally untrue. He did not mean to assert that the hon. and learned Gentleman stated any thing wilfully incorrect, or that he added any thing which was not the fact, but he spoke from recollection, and he himself admitted that his remembrance of the facts was very imperfect. But the allegation, the insinuation, went abroad, and the possibility of trying the fact was taken away by the existing state of the law. It seemed to him that there was a want of principle, that some fixed rule on which to act was required. One of the worst grievances in the country was the unlimited discretion which the Judges had over the law of the land. Every thing and any thing is law, as they choose to decide it. What! should he be told that the Judges could not construe an Act of Parliament as they please? He had known Judges decide, on construing a criminal Act, that pretence and purpose were perfectly synonymous terms. Such a decision was come to by the four Judges of the Court of King's Bench in Ireland, even when the Act expressly guarded against the possibility of such a construction. To be sure, it was in a political case, where the Irish were struggling for religious liberty, and, as the Judges decided it, they deprived them of the opportunity of putting it upon the record, because, in the indictment, pretence was made use of throughout, and that which was called construction enabled the Judges to vote, that pretence was purpose, as it would enable them to vote that black was white. But was the power of the Judges confined to the construction of Acts of Parliament? Did they not sometimes repeal statutes as well as make them? What was the history of the law with respect to common recoveries for the assurance of lands? Why, the Legislature decided, that when an entail was made it should be perpetual; that was the Act of the Legislature; the Judges repealed the statute; they actually repealed it, and invented common recoveries; they invented a form which, by a mere fiction of law, took the estate from a party, giving him a recompense against the common crier, and thus they overruled the deliberate Act of the Legislature. He hoped, however, that we had arrived at a better state of society—that we were come to a period when the Judges would no longer have the power of enacting, repealing, and altering statutes, and when our sole business would be to carry statutes into effect. What was the case of the hon. Gentleman? This act had been committed years before, and, after a lapse of time, he was unjustly and atrociously deprived of his legal right by this secret and unjust tribunal. Although he had the honour to belong to what was called the superior profession, still he felt that there was more public confidence reposed in the Attornies than in Barristers. They had necessarily more public and private property in their hands, and they must be more scrupulously attentive to their duties. The hon. and learned Attorney General said, that there might be objections to the admission of an individual, which could not be proved, and might not be tangible. Good God! were reasonable men to decide cases involving the most important questions of character and property upon mere suspicion? Take Wooler's case for example. There was a suspicion there, so shadowy and untangible, that it could not be put into shape, and so unsubstantial and obscure that it could not be put upon the record, even when assisted by the ingenuity of a Barrister. Was it possible to imagine any thing worse than a secret and irresponsible tribunal, with the power of acting upon suspicions—upon mere imputations—and the malignant insinuations, perhaps, of different persons. Talk of there being no motives! The legal profession was a high one, but was it more free from personal motives and personal feelings, than others? He knew that in his own country there was no son or son-in-law of a Judge, with the smallest smattering of talent, who did not make his fortune. There certainly was a vague superstition, that the relation of the Judge was a particularly lucky counsel: he did not believe it. He knew that those things would happen in the best-regulated professions; but they should not shut out an individual who, instead of walking the Hall for six or seven years, and then being looked upon as a very promising young gentleman, would come to the Bar with full-blown honours, with the knowledge and confidence of the public, with a steady independence, and who would make an unwilling Judge tremble on his seat. He was perfectly sure, that if he had not been called to the Bar previous to his entering into political life, he should never have been permitted to come to the Bar at all. In 1798, when the Irish Unions were in full vigour, a gentleman at the Irish Bar refused to be examined before Lord Clare, upon oath, whether he was an United Irishman. "If I am an United Irishman," said he, "try me and hang me." He was expelled for that—he is now in poverty; and, had he not been so expelled, he would have been an ornament to his profession. He would again distinctly repeat, that he verily believed, if he had been five or six years older when he came to the Bar, he should not have been allowed to practise there. Why did he say this? He came to the Bar with ten or eleven Judges as indisposed to listen to him as possible; he struggled for five, six, or seven years, he asked for no quarter, he received none, and he took good care to give none. Having gone through this, therefore, on his own part, seeing what he had seen, and knowing what he knew, he had come to the determination of adhering to the principle, that no man's rights should be taken away capriciously—that no man's property should be disposed of without trial—that there should be no secret tribunal—no base inquisition—that every secret inquisition was base—that a British subject should have, on every occasion, the power of appealing to a fair, open, public Court of Justice, and of receiving reparation for his grievances if he were in the right, and eternal infamy if he were in the wrong.

Mr. *John Campbell*, being a Bencher of one of the Inns of Court, trusted he might be permitted to trouble the House with a few observations upon the subject under discussion. So far as the mere call to the Bar was concerned, he was not aware of any evils which could be fairly stated to exist in the present system. He differed entirely from the hon. and learned member for Kerry, who thought that there should be no regulation whatever with respect to the admission of persons to the profession of the law. He could not bring himself to think that any man, just come from gaol, or from the hulks, for example, should be at liberty to put on a wig and gown, and to follow the profession of the law. On the contrary, it was indispensable for the honour of the profession, and the good of the community, that certain regulations should be established and conformed to, and that some preliminary inquiry should be made into the qualifications and character of those who wish to become Barristers. That was the case in ancient Rome, in modern France, in Scotland, and it must be so in every civilized country where there was law, and a body of lawyers. If there was to be regulation of any kind, could it be enforced in a mode less objectionable, or more fair than at present. It was, in the first place, intrusted to the Benchers, who were all men of high character, with a reputation to preserve, and who, he trusted, notwithstanding the insinuations which had been thrown out against them—and he really was sorry to hear that part of the speech of the hon. and learned member for Kerry—were above all base and sordid considerations. He was fully convinced, that they could have no motive, no wish, but to discharge their duties with fairness, justice, and impartiality. Was the profession of the law a monopoly? What had been the practice? Had not the law been open to all classes of men, even to individuals of the most humble origin? The door had been thrown open to their ready admission, and no question had been put to them, but with respect to their character and qualifications. If the Benchers misconducted themselves, if in any case their decision were wrong, there was an appeal from them to the Judges; and he would beg to ask the House, whether it was possible to conceive a tribunal to which such an appeal could be more properly given? He could not but regret that the hon. and learned member for Kerry should have thrown out imputations against the Judges, more, however, in the wantonness of his humour, than from any premeditated design. The hon. and learned Member should recollect, that the Judges had done "some good," at least; and that, in the particular case he mentioned as telling against them, namely, the disentangling of the property of the country from the embarrassing encumbrance of certain intricate and technical details, they deserved the thanks of their country. The Judges had been more liberal and more enlightened than the Houses of Lords and Commons of that day. It was to the Judges that we were indebted for the abolition of slavery in England, at a time when it was permitted by law. He would also tell the hon. and learned member for Kerry, that, in England, he had never known that Judges' sons, or sons-in-law, had "particular success in Westminster Hall." He was not aware of the existence of any notion, in England, that they were more lucky in their causes than the most obscure candidates for legal honours. As far as the call to the Bar was concerned, it seemed to him that there was no grievance whatever, for there was a power of appeal to the most enlightened, the most disinterested, and the most impartial persons, to whom they could possibly apply for redress; and, if even they should misconduct themselves, there might lie, then, an appeal to the House of Lords, not, as in the case of the hon. Member, to be pursued years after the formal decision which might be complained of, but when the case was of recent occurrence. Now, if there be an appeal allowed from the Judges, that was all that could be required. The Benchers of Lincoln's Inn had a great power, which he, for one, did not wish them to enjoy. It was an arbitrary and irresponsible power, that ought not to belong to any individuals. It had been said, that the Inns of Court were merely private societies; and so they were, originally, but they had now important functions to perform. Looking to Mr. Wooler's case, he certainly could not approve of the conduct which the Society adopted in that instance; for, as it was stated by the hon. Gentleman, Mr. Wooler was not even called upon to answer the charge against him, and he had no opportunity for explanation. He knew nothing personally of that individual; he had certainly heard reasons assigned why he was not admitted; still he must say, that he thought the conduct pursued by the Society on that occasion was highly objectionable. He conceived that the charges against Mr. Wooler, whatever they were, ought to have been distinctly stated, and that he ought to have had an opportunity of ascertaining their nature; that opportunity, however, was not afforded to him. He could have wished that such a case had never occurred, and he most sincerely hoped that it would never occur again. He repeated, that he did not think the Society ought to exercise the powers it now possessed; but, at the same time, he was not disposed to make the alteration proposed by the hon. Gentleman.

The hon. Gentleman proposed that a *mandamus* from the Court of King's Bench should lie to these Societies. What would be the consequence of such a provision? Why, that instead of there being an appeal to ten or fifteen Judges, there would be an appeal to four only; and, instead of the whole matter being at once fully inquired into, it would come on—first on one side, and then on the other; there would be a trial by Jury, and then the return must be traversed. He agreed with his hon. and learned friend, the Attorney General, that there might exist reasons for the non-admission of a man, which could not be proved, but which might yet be sufficient for his exclusion. Suppose, for instance, that a man had been tried for some heinous offence, and that, although there was not the smallest possible doubt of his being morally guilty, yet that he had been acquitted on account of a flaw in the indictment. Could it be said, that such a man would be entitled to be admitted into the profession, merely because you could not return to the writ of *mandamus* that he had been actually guilty of some misdemeanour? God forbid that such a course should be thought of for a moment. If such a proceeding were adopted, the legal profession would lose that high character which it had so long deserved. It would be better if the Benchers and the four Judges had the same power with respect to those who enter as students, as with regard to those who were called to the Bar; and, if such a provision were at any time proposed, it should have his support.

Mr. *Hunt* observed, that the two hon. Baronets, the members for Westminster (Sir Francis Burdett, and Sir John Cam Hobhouse), had both been sent to gaol for their crimes, and one for a libel on that House; yet they were both thought fit to be Members of Parliament, and one was actually in an office of the highest responsibility as the King's Minister. But, according to the principles of this disgraceful Star Chamber Court, they would both have been disqualified to hold briefs in the Courts of Law. If the hon. member for Colchester had been the son of a Judge, did any one suppose the Benchers or the Judges would have thrown any obstacle in the way of his admission? Let them look at the present Lord Ellenborough—had he pocketed nothing of the public money merely because he was the son of a Judge? Nothing was more gross, unreasonable, and unjust, than the power which had excluded the hon. member for Colchester; and, as the hon. Bencher, the member for Stafford (Mr. J. Campbell), condemned the present system, he hoped he would have the manliness to bring in a Bill for its correction. He considered the arguments of the hon. member for Kerry to be quite unanswerable, and would give his cordial assent to the Motion. He did not expect any thing from the present House, as the Motion was opposed by his Majesty's Whig liberal Attorney General, but he was certain that justice would be done to Mr. Wooler, and the other individuals whose cases had been mentioned, by a reformed House of Commons, in which he hoped the hon. member for Colchester would again bring forward the question.

Mr. *Lennard* said, if upon this question my opinion could be swayed by authority, there is no one to whose opinion I should more readily bow than to that of my hon. friend, the Attorney General. But the question involves a point of great constitutional importance, so clearly established by the statement of the hon. member for Colchester, which has not been contradicted, that I feel myself called upon to support his Motion. From that statement it appears, that a man may be excluded from the profession of the law at the arbitrary will and discretion of a body of men deciding in private, and not subject even to the control of public opinion. It seems to me that this is a most unconstitutional power, and one which is contrary to the doctrines maintained in this country—that the road to professional honours is open, without distinction, to every one. I admit the respectability of those to whom this power is intrusted, but, in my opinion, arbitrary power should not be confided to any man, however respectable; and the case alluded to by the hon. member for Kerry, shows that this is a power which not only may be, but has been, abused. But we are told, that there is an appeal to the Judges; but be it observed, that it is not to the Judges sitting in open Court and in public, but in private. In an action for the smallest amount of property, would the public bear that the trials should be with closed doors? Yet it appears, that in a matter of far greater importance than that of mere property—namely, in a question involving a man's character and his eligibility to a profession—this may be heard in private. There is, undoubtedly, great hardship in this. A man, under this system, may be grievously injured, without that means which a public trial would inevitably afford him of obtaining redress.

Mr. *John Williams* protested that this was a question in which he was perfectly disinterested, and in that respect he stood in a position very different from that of the hon. member for Colchester, who had brought forward this Motion. For his own part, it was a matter of perfect indifference to him, whether the precautionary measures adopted by the Benchers should be continued or not; but in his opinion, no facts had been brought forward of a character sufficiently weighty to prove the unfairness of the existing system. He would ask the hon. and learned Gentleman who had cited history for the purpose of attacking the Judges, by what improper motives they could possibly have been influenced in deciding against the claims of an individual?—or upon what grounds they should care whether that individual were in England, Ireland, or Kamschatka? Was private feeling to be taken as the ground of imperfect legislation? The hon. member for Colchester had had the advantage of stating his own case without contradiction; but he (Mr. Williams) would appeal to the Records of the last hundred years to show the extreme paucity of the instances in which complaint had been made. Were two doubtful cases occurring in the course of a century sufficient to induce the House to consent to an alteration of the law. He never was more astonished than by the statement of the hon. member for Colchester, which called for an amendment of the law of England on a declaration of supposed personal wrongs. The Society were ready to meet the hon. Member on the cases alluded to. The hon. and learned member for Kerry was pleased to say, that of the facts of the case, he knew nothing, and he would have acted more judiciously if he had suspended his judgment until he did know something of the facts. The hon. and learned Gentleman seemed to think that a judicial act was one to which obloquy and reproach must necessarily attach, and in order that he might be as unlike a Judge as possible, he considers it proper to come at once to a conclusion upon facts of which he knew nothing, and so the hon. Member proceeded to argue upon the case of the hon. member for Colchester—of the particulars of which (as he himself admitted) he was utterly and entirely ignorant. Again, the hon. member for Colchester came forward with this Motion ten years after the occurrence to which it referred. If he was so impatient for an inquiry as he stated, why, in the name of wonder, had he waited until this eleventh hour? Why did he not seek for that inquiry before? If the hon. Gentleman was so anxious for an early, and a full, and prompt inquiry into the circumstances of a case, over the facts of which he had an entire dominion, how was it that he had allowed it to slumber, according to his own statement, for upwards of ten years? But the hon. Gentleman's statement was, in many respects, self-contradictory. On one occasion he chose to represent, that the facilities of being called to the Bar were too great; that to eat a dinner on Tuesday, and another on Friday, is sufficient; while, at another time, he said, "Oh! you are too severe; you do not enter into an inquiry of the talent and mental qualifications only, but you capriciously object to the character of the candidate, and that, too, without affording him a fair opportunity to meet his objectors." Such was the inconsistency of the hon. Member's statement. At one time admission to the Bar was too easy; at another the ordeal was too severe, the scrutiny unjust, and the examinations too arbitrary. These examinations had not, however, been always deemed to be unjust. Had the hon. and learned Gentleman, whose able assistance the hon. Member on this occasion enjoyed, forgotten that there was a time when the multitude of members of that part of the profession to which the hon. member for Colchester belonged, was considered to be too great? He alluded to the dark and benighted times of James 1st, when it was supposed that it was not so good a thing for the country that there should be such ready means of becoming members of that part of the profession, and a Statute was accordingly enacted, providing for, and regulating the mode of admission of practitioners in the Courts of Law? If, at that time, it was thought an evil to afford too great facilities for multiplying the members of the legal profession, he believed, if it gave proof of anything, it gave proof, not of a want of sagacity, and want of knowledge of the truth; for, to speak truly, he verily believed—and in this, he was sure, the hon. member for Preston would agree with him—that a paucity of lawyers, of either branch of the profession, was the last thing of which either this House or any part of this country would think of complaining. The hon. Gentleman had suffered his own immediate self-interest to magnify the importance of this case, far beyond what those who were without such personal feelings would assign to it. About the result of the present question he was quite indifferent. He conceived the measure proposed by the hon. Member utterly inefficient for the purpose which the hon. Member had in view. When the hon. Member alluded to a *mandamus* as a mode of redress, he ought to have considered whether, in fact, he was not vesting a very great power in the persons by whom the return to that *mandamus* would be made, and whether a return to this effect, namely, that the person applying was not a fit person to be admitted, would not be at once held a complete and satisfactory answer, and whether, therefore, it would not defeat the object which the hon. Gentleman had in view. He believed it would. If the hon. and learned member for Kerry, instead of adopting the line of censure he had pursued, had indulged them with some information about what the return to the *mandamus* was likely to be, he would have much better employed himself, and would have acted with much more satisfaction to the House. If, indeed, the hon. member for Colchester meant to say, that he was to have a *mandamus* of his own—a newly created one—that was quite another affair; but it would be at the same time a perfect novelty in the law, not to be sanctioned without very mature deliberation. The hon. and learned member for Kerry acknowledged that he had private feelings upon this subject. He was sorry to hear such an avowal; he had hoped that, although late and tardy as was the justice that had been done to the high professional merits of the hon. and learned Gentleman, yet as justice had been done, those feelings would have been banished from his mind. He had hoped—though the hon. and learned Gentleman seemed to have forgotten the fact—now that all those invidious and unjust distinctions by which he had suffered had fortunately been done away—a circumstance of which he was as sincerely glad as any man, in or out of the House—and now that the hon. and learned Gentleman had assumed that station in his profession to which his abilities, and zeal, and talents, most fully entitled him—he had hoped that no latent feeling of anger would remain, such as the hon. and learned Gentleman had suffered to escape him this night, while speaking upon this ambiguous, contradicted, and doubtful case. He said contradicted case; for the hon. member for Colchester was no judge in his own cause, and was unfit to be trusted in giving a decision upon it. But he had an opportunity of fully knowing the whole facts of the case; and if any Gentleman chose to see a full detail of what took place on the occasion alluded to by the hon. Member, when all the circumstances were fully gone into before the Judges, not in a private, but in a public manner, there were documents containing such details open to their inspection, and which it would be perfectly easy for any Gentleman to peruse, although it would not be convenient to read them here. In the absence of any case—for nothing had been made out for the House to legislate upon—he could not agree to the Motion of the hon. Gentleman. If the hon. Gentleman had any particular grievance, requiring parliamentary interference, he should have sought an inquiry at a time much nearer to the transaction, and not have given judgment against himself by lapse of years, which always casts a doubt upon the justness of the complaint. He was so satisfied that there had been no ground shown for this act of special legislation, that if the hon. Gentleman called for a division, he should certainly divide against him.

Mr. *Harvey:*—Sir, the only difficulty which I feel in replying to the observations which have been made in opposition to this Motion, is that arising from a sincere indisposition to consume the time of the House, upon a question which, by the conduct of two hon. Benchers, has been made directly personal. At the same time I feel, from the experience which I have had, during the five Sessions of Parliament that I have had the honour of observing the proceedings of this House, upon all questions involving personal feelings and character, that there is not a Gentleman whom I have now the honour of addressing, who will not feel an anxious desire, on his own part, to give me the same kind, attentive, and indulgent hearing, which he himself would claim. I will, in the first place, express to the learned Attorney General the deep sense of gratitude which I feel towards him, for the opportunity he has afforded me (whatever may have been his views and motives in bringing those matters forward) to make this explanation. The hon. and learned Gentleman who has just addressed the House, has reiterated the statement of the learned Attorney General, that I am precluded from seeking redress on account of the distance of time that has been suffered to elapse; but, Sir, that is a most conclusive argument against themselves, and very strong in my favour. First, the hon. and learned Gentleman thinks that this question has been suffered to slumber for many years, and that it is now for the first time ushered into this House. It is true the inquiry before the Judges took place in 1822 (and not in 1818, as the learned Attorney General has presumed); but at that time I had not a seat in this House, but was returned in 1826: having had the honour of a seat in 1818, and again in 1820, but which was lost on petition. Till 1826, then, I was not in a condition to bring this matter before the House. I think there is not a Gentleman whom I am now addressing, who will not sympathise with me in reflecting how extremely difficult it is, and who will not equally participate in my feelings, in considering how repugnant it is, to make a statement in this House respecting oneself; and still more difficult and repugnant is it, to make the ground of such statement matter of complaint and crimination against the high and official personages of the land.

As soon as the present Parliament assumed its character in favour of Reform, short as it has been, I announced my intention of bringing this subject forward; and if I had attempted to bring forward anything of this description in 1826, it would have been met with an instant negative, and I should have experienced no sympathetic attention whatever. But let it not be supposed that I have been slumbering all this while. No sooner had the Commissioners of Inquiry into the State and Administration of the Law been appointed, than I took the opportunity in reply to a letter I received from those gentlemen, containing questions upon the general topics of law, to which they requested answers, to solicit their attention to the practice in cases similar to the one now before the House. I implored them to institute an immediate investigation into the subject; and as the hon. and learned Gentleman is fond of referring to documents (and let him produce all he has, I am prepared to meet them), I also can produce a copy of this letter, and the answer which I received from their Secretary. In that answer he stated, that the Commissioners did not consider, that the subject to which I had called their attention came within the scope and purpose of their appointment. Failing in this, I have since brought the matter before three successive Administrations; and in one case was attended to with great courtesy by a Gentleman to whom we are in the habit of referring with great admiration for his talents and statesmanlike views. I have an official letter informing me, that the Attorney General should be requested to inquire into the case; he was so requested, but the answer was, that there was no remedy—that, whatever was the effect of the proceedings on the part of the Benchers, the case was without a remedy. If it were not for the pointed and ungenerous manner in which the learned Attorney General has stated this case, I should have been content to rely upon the circumstances attending my return to this House, for an answer to the charge brought against me. What am I; and what place do I Represent? I have not run down to Cornwall, and obtained my return for some rotten borough previously purchased for 3,000*l.* or 4,000*l.* in sterling cash; neither have I sufficient property in any borough or county to command the willing votes of my submissive tenantry. I have not a single acre of ground in the place whence I come. I was born within ten miles of that town; I was articled in that town; there is not an individual of the whole population with whom I have not associated; it is through them and their affectionate kindness—amid the horrid persecutions to which I have been exposed, and in the full knowledge of all the base imputations that have been cast upon me—that I have been returned to this House, and that, too, in defiance of the great exertions, extensive influence, and enormous wealth, of the chairman of the East-India Company, who brought down 200 voters from this emporium of corruption to oppose me. I have been returned five successive times by these men. Why, Sir, may I not call these five verdicts? Is not this a ground on which I may well rest my case, and challenge my accusers? I, a person born in a lowly station—never courting nor admiring wealth or title for its own sake—for I had not attained the art of eulogizing men in power, nor learnt the witching craft of honied speech—but standing entirely upon the interests of the order to which I belonged, and my own character, obtained the suffrages of the independent Burgesses of Colchester. And what was the course I pursued in 1826, after having received this most unmerited rejection from the Benchers? Did I appeal to my constituents at the election, on that occasion, upon political grounds only? No, Sir, I appealed to their sense of justice? I asked them to return or reject me, as they approved of or despised the persecution to which I had been exposed. Upon that ground, and that alone, I rested my claim to their support, and they triumphantly returned me as their Representatives in this House.

Let this Parliament be dissolved tomorrow, and I will go again to my constituents—to my newly-created constituents—and will stand before them for their support, resting my claim upon the motion of this night. But, Sir, I will go further. The learned Attorney General has said, that he was my counsel:—he is now my enemy. Who was his colleague upon that occasion? Lord Brougham. That great man had not been on the Woolsack twenty-four hours before he sent to me, saying, that he wished to see me in another place. And what was it to say? Was it to taunt me that I was not fit society for gentlemen, or did he deal in those insinuations in which the learned Attorney General has indulged? No, Sir, but it was to tell me that he intended to revive the Charities Commission, and to place himself at the head of it, and to make me the Secretary. When I have this testimony to appeal to, in justification of my character, and in vindication of my honour, might I not say to my persecutors, "Here is the testimony of a man whose greatness you may envy, but can never equal, voluntarily offered to my humble pretensions to character, and to talent, and I shall proudly rest upon that?" But, Sir, I shall not do so. The hon. and learned Gentleman has said, that there were two cases in which I was concerned—he professed, indeed, not to be very accurate in his recollection as to the particular circumstances—but he is perfectly correct in the statement, that there were two such cases in which I was materially interested.

But, before I notice those cases, I will just advert to a remark which was made by the hon. and learned Gentleman who last addressed the House. He tells me, that I have precluded myself by lapse of time. Why, Sir, if I were arguing this question with the technical subtlety of a lawyer, and not upon the moral justice of the case—and I have heard that hon. and learned Gentleman advocate both sides of a question in this House—I should say the Benchers had precluded themselves by time; because when were these two cases tried?—(I am not now speaking of their merits; into them I shall enter presently). Why, in the year 1810. When did I apply to be admitted? In 1813, with the full knowledge of every fact, whatever may be their merit or demerit, possessed by more than one eminent Bencher, who went the circuit on which, and at the time when, those trials took place. Did they admit me instantly? No. First, I was required to produce a certificate, signed by two gentlemen at the Bar, as to my character; this I very easily obtained; then was the moment to object to my admission; why did they not then bring forward these cases against me? When, again, in 1818, I gave them my bond, and deposited my 100*l.*, why did they not enter their *caveat* against my entering into fellowship, and say to their Treasurer, "When, that person comes here, we have something to say to him: here is an explanation which he must give, and, unless satisfactorily given, he cannot be admitted a member." Did they do this? No; they deliberately took my money—they deliberately took my bond; and as has been said by the hon. member for Preston, who often says things with great truth and acuteness, we dined together for three years, in the same room, and in the presence of each other, with the most perfect harmony.

Having exerted myself in this House, and out of it, to reduce the enormous fees paid to counsel upon Crown Prosecutions in the Court of Exchequer, and having done so successfully, I could scarcely be a perfect stranger, while sitting among those gentlemen; and yet, knowing me and seeing me, not a word of objection was expressed by them; nor was it until I had perfected my title, and had abandoned a lucrative profession, that these protectors of professional morals felt it to be their duty, as they chose to state it, to call upon me to explain the circumstances connected with those two civil actions, in which I had so many years before been concerned. And here allow me, Sir, to state a particular circumstance, which the learned Attorney General appears to have entirely overlooked. During the whole of his illiberal and accusatory statement he was speaking of an Attorney—a person who is peculiarly amenable to the Courts of Law. There is not a transaction affecting his character, which may not be brought forward in the Courts of Law of which he is a member, and which he is not liable to be called upon to explain; and if a satisfactory explanation is not given to the superior Judges, they have the power, and would no doubt exercise it, of erasing his name from the rolls of the Court. Whence, allow me to ask, was it, that these cases were never made the subject of investigation in those Courts? Does not the learned Attorney General know—can he be ignorant of so material a fact—that if a man be unfit to be a barrister, he is equally unfit to be an Attorney? The responsibility of the one is not to be compared to the responsibility of the other. A Barrister is altogether before the public eye, and it is comparatively unimportant what may affect his own private conduct. Not so the Attorney to whom are intrusted the most important secrets and concerns of individuals, and it is his private character alone on which they confide. Now, Sir, I applied since those proceedings in 1822, to the Court of King's Bench to be re-admitted; and I have been re-admitted by that Court, without one single objection being made against me; my name having according to custom, been publicly exhibited in Westminster Hall, for the purpose of inviting objections from all the world, during an entire term. The same Judges who had negatived my admission to the Bar, were the parties who decided upon re-admitting me as an Attorney to practise in their Courts. Where were these Benchers—these guardians of the moral character of the profession? Why did they not bring these cases forward? Why were not those documents, to which the hon. and learned Gentleman appears to take so much pleasure in referring, produced? I will tell the learned Attorney General why:—because they could not have done it without having called upon me and my witnesses to answer upon oath the charge which those documents would have been produced to sustain, and they knew well, that when the facts were so challenged they could not be successful; and that I should have been able to expose the spirit from which the persecution proceeded.

It is said, that there was nothing political connected with this subject. I could relate an anecdote which distinctly proves that it was nothing less than a personal and a party proceeding throughout. When I had perfected my title, I came down to this House, not being a Member of this House at that time—and asked a gentleman, a Bencher, whether he would move for my admission, and he instantly stated, that he would with great pleasure do it; and he requested me to go to another Bencher, the treasurer of the Inn, to know if he would second the Motion. Now, I had never spoken to that gentleman before; but he very readily assented, and desired his compliments to the other gentleman, and he would second the Motion. Now, what was it, that was whispered to me by this gentleman when I was about to leave him? He said, "I may tell you that that gentleman you are going to is a sound Whig." Thus then I was tried by a Jury of Whigs and Tories, instead of by men acting the character which they nevertheless assumed, of impartial judges of the moral and mental fitness of persons seeking to become members of the profession. Sir, the plain fact was, that there were eleven persons present, four of whom were for and seven against my call; and one of these protested, in writing, solemnly against the decision, while another came out, with tears in his eyes, declaring, that he could not bear to witness what was going on in that place. Why, Sir, the whole was notoriously a political party proceeding—a closeted and cloistered inquisition, sitting without responsibility, and exercising, without remorse, a dispensing power over the happiness, the character, and the fortunes of an individual. I received an intimation from the officer of the Inn, saying I was required to explain two matters—one in which I had been plaintiff, and one in which I was defendant. These transactions took place in 1810, and the cause of action, in both cases, arose before I was even a student. But I scorn to take an objection on that ground. I am speaking here upon the moral justice of the thing; and I do not hesitate to say, that I will now agree to appoint a list of thirteen gentlemen, Members of this House consisting of every party, to whom all these documents shall be referred; and provided their investigation shall be public, I will most willingly abide by it. I have stated this before; I repeat the challenge; I desire it; the intention of my introducing this Bill is to enable me to do so; and I can tell the learned Attorney General, that no sooner shall this Bill be passed, than I will enter the Court of King's Bench, and demand the benefit of it, so that I may have the opportunity of traversing these objections.

The learned Attorney General has been pleased, with exemplary delicacy, to allege, that in this case, I was accused of having "a paper stolen," and that upon bringing my action of slander against my accuser, the Jury by their verdict affirmed the truth of the charge. Now, Sir, most true it is, that I failed in the action I brought against my despicable calumniator. But did the learned Attorney General never fail in any action for sedition, or slander, or treason, that he may have advised, and in support of which he brought his best efforts and talents and legal ingenuity to bear? And will he be content to have his competency for his office, or the honesty of his motives, determined by that same rule of success in a Court of Law, which he has thought fit to apply to me? If so the learned Gentleman proclaims himself no longer fit for his situation, for the most signal failure has attended his exertions to obtain a verdict, even where he, in unison with the common expectation upon the subject felt most secure of one. This is no more than has happened to his predecessors over and over again. A British Court of Law, as every experienced practitioner will tell you, is not an infallible court of truth. It is a court of evidence, a court of legal subtleties, and forensic ingenuity, where the best advocate and most skilful tactician carries the day, and too often triumphs over right and justice. Let not this be viewed as the partial and overwrought statement of a wounded spirit smarting under the infliction of a just sentence. If I wanted a witness to testify the scrupulous fidelity of the picture I have drawn, I should put the hon. and learned Attorney General, who, for reasons best known to himself has become my accuser in this House, into the witness box. When that learned functionary, on his defence the other night against a charge of misprision treason and connivance at sedition and slander against the highest personages in the realm, one of the King's Judges and other eminent individuals being his accusers, what was his answer? Was it not in substance this: "True it is, that treasonable incitements are put forth in the Press, true it is, that sedition ranges uncontrolled throughout the land; it stares you in the face at the corner of every street, it is spouted from every platform and threatens to break down every barrier of law and order if not checked; and true it is, that the most atrocious and unmanly slander is daily and hourly vented against those exalted personages whom it is my especial duty to protect against such assaults—but where is the remedy? The Courts of Law offer none. Nothing is more uncertain than a verdict in cases of slander, nor is there any responsibility, that falls upon a counsel heavier than advising his client in such cases, for it never can be foreseen, that he may not bring his client out of court worse than he took him in." This, Sir, was the language of the first law officer of the Crown, this his defence before this House and the country, and this his excuse to his royal clients for leaving them exposed to the torrent of calumny with which they have been beset. Sir, I claim in behalf of my character, the same benefit of this defect in the tribunal, of this uncertainty in the law, which my learned accuser, the Attorney General, claims for himself, in not proceeding at law against the slanderers of his clients. If where the slander and its atrocity are so notorious, and thousands are ready to attest its existence and its falsehood, the learned gentleman feels dubious of a verdict, of what illogical absurdity, to say the least of it, does he convict himself when he affirms, that because I brought an action for slander and failed in getting a verdict, therefore, the slander of which I complained was no slander, but was truth. If the reasoning be good, it will apply to every case as well as to mine, and if the learned Attorney General will consent to its being applied to the case of his royal clients, he will indeed convict himself of little short of that crime against the Crown, of which he has been accused by one of the King's Judges. I can assure the House, that I deeply regret the necessity which has arisen for my trespassing upon its time; but I trust, that the same kind and marked indulgence which has attended my explanation up to the present point, will accompany me still further into a brief statement of the peculiar circumstances of the case of Harvey *versus* Andrew, to which the hon. and learned Gentleman has, in no friendly spirit, referred. I ought to premise, that the circumstances out of which this action arose took place in the year 1808, four-and-twenty years ago. The action itself was tried in 1810, and so far from the issue of that trial having had an adverse effect upon my fortunes by the injury of my character, which it must have had, if the verdict had been interpreted as the Attorney General seems to have had a desire to interpret it, so far from that being the case, my business as an Attorney daily and rapidly increased, my very enemies came to me and intrusted their property and their characters to my guardianship. I have been five times returned to Parliament by the unbought suffrages of the freemen of Colchester, who have known every act of my life, and weighed and sifted every accusation against my honour. I now earnestly entreat, I implore, as a personal favour to myself, the attention of hon. Members to a narrative of facts, which, although unprepared, I have no doubt, I shall be able to make intelligible as to the real merits of this case, to all who will do me the favour to listen to me.

In the year 1808, at which time I was in full practice as an Attorney at Kelvedon, in Essex, with an office also at Coggeshall, three miles distant, I became concerned for a poor man, a carpenter, of the name of Shelley. The dispute in which he was involved was a family dispute, his mother-in-law being the party opposed to him, and in behalf of whose interests a rival Attorney at Coggeshall, of the name of Andrew, had actually brought an action against the son. The cause of action arose out of a bond for 100*l*., which the father of Shelley had given to a person named Rudkin, as trustee of his (Shelley's) wife, the mother-in-law of my client, making the bond payable six months after his decease, together with an annuity of 5*l*. for her life. Shelley the father, dying intestate, his freehold property descended to his son. His widow possessed herself of his personal property. In this state of things the trustee, Rudkin, applied to my client for payment of the bond, as also the annuity. My client professed his readiness to pay, but required that the personal property of his father should be duly admitted and set off against the demand, and in this he was justified, for, by frequent decisions, the personal property is held first liable to payment of obligations of this sort. Here was a question which was thought fit for litigation and costs, and accordingly Mr. Andrew recommended a law suit between mother and son, which was actually commenced. It was then that Shelley came to me to defend him. What was the course I took? One for which, instead of being scandalized and censured, I think myself entitled to the applause of every reflecting and honest mind, and to which I shall ever revert with feelings of pride and satisfaction. I regarded this poor man and his maternal relative, about to be hurried into a vexatious and expensive litigation, in which the law and its myrmidons were sure to gain, with the almost certainty of reducing both its victims, the gainer as well as the loser of the suit, to the condition of inmates of the parish workhouse. I went to the opposing Attorney, urged upon him the scandal of such an action, and finally brought him to terms in all respects highly favourable to my client. I cannot proceed to state what these terms were without apologising to the House for the minuteness of the detail into which I feel myself forced to enter. The House, I am sure, will bear in mind, that this explanation is forced upon me by the revival of a calumny four-and-twenty years old, which never did make any serious impression on the minds of those, who, from their propinquity to the scene of action, and knowledge of the characters of all parties concerned, made them the most competent judges, and which even my bitterest political enemies, in all the licentiousness of party and political rancour, much to their credit be it said, have never ventured to advance. I am on my defence, and the House, with its accustomed liberality will continue to, me a little longer that considerate indulgence of which I have already received so ample and unexpected a portion. The terms, then, which I obtained for my client were these—that his mother should account for all money possessed by her as administratrix of her husband, that the amount should be deducted from the claim of 100*l.* which she had against my client, and that the value of the annuity of 5*l.* should be ascertained by the tables of Dr. Price, and paid by the son—and that he should have six months from the date of the agreement to pay whatever should appear to be due—and further, that he should pay 5*l.* only for costs. Here was an arrangement highly beneficial to my client, first in respect of the time I gained him for payment, next in the set off of the personal effects of the deceased, next in setting him free from future actions and costs for non-payment of the annuity, and finally, in limiting the law expenses, which might have been hundreds, to 5*l.* This agreement was reduced to writing, and signed by the respective Attornies, and a copy given to each. The House already begins to marvel what robbery I could have committed in this pauper cause. Their ingenuity is no doubt sorely perplexed to know what paper, what valuable document or deed it was, that I subsequently abstracted from the office of my opponent—above all, whom it was that I thought it worth while to rob in this affair. Was it the aged widow that I despoiled of her mite? Was it the bond that I purloined in a paroxysm of professional zeal for my client, with the pious view of enriching the son with the legacy bequeathed by one of his parents for the sustenance of the other in her old age and widowhood? Neither. The absurdity of which I was accused was the robbery of my own client—not of his money—but of the paper containing the beneficial terms I have just detailed to the House. What conceivable motive, not the offspring of confirmed insanity, could lead to such an act, it would, I think, puzzle the keenest intellect ever busied in the perversion of truth to assign. It may also be asked, what conceivable motive could originate a charge so wicked, having so little plausibility to sustain it? Whether it originated in brutal stupidity, or still more brutal malice in the first instance, it matters little to inquire. If deliberate malice was the foundation of it, there would be no difficulty in accounting for a pertinacious adherence to the falsehood. If it was the mistake of a mind brutally stupid, subsequent discovery of error would not lead to an avowal of the truth, and a legal investigation once commenced, with the penalties of defamation as the consequence, obstinate perseverance in the calumny would appear to such a mind as the only course that could with safety be pursued. But, perhaps, it may be thought, that I saw reason to change my opinion as to the eligibility of the terms I had originally agreed to for my client. The facts will show that it was just the reverse; and that it was consistent with what Mr. Andrew thought were the interests of his client, to evade this agreement, which he ultimately succeeded in doing; I have already stated, that a copy of the agreement was in the possession of both parties, that is, of Mr. Andrew and myself. On an appointed day, I called at the office of this man, for the purpose of carrying this agreement into execution, having brought my client, Edward Shelley, into the town to do what was requisite on his part. I found Mr. Andrew, however, unwilling to abide by the terms of the agreement. He set up a new claim on the part of the widow to dower, complaining that I had dextrously worded the agreement so as to exclude his client from her right in that respect. I insisted, as in duty to my client I was bound to do, upon holding him to the letter of the agreement, and in reliance upon which as a final settlement my client had made his arrangements, and was then actually prepared and waiting to carry them into effect. Yet Mr. Andrew insisted on his part that the agreement was not binding in law. I told him that written undertakings between professional men on behalf of their clients were honourable engagements, from which no man with any regard to character would dream of departing, and moreover, that the agreement signed by him I should enforce, if necessary, by application to the Court of King's Bench. High words ensued, and I left the office threatening to move the Court of King's Bench on the subject. Out of this meeting arose the extraordinary charge of Mr. Andrew. With every motive, and an expressed determination not to abide by the agreement, and with a determination as strongly expressed on my part to force him to the strict execution of it, he thought fit to declare that I had purloined that paper from his office at the meeting, the particulars of which I have just related. Insanity alone could have dictated such an act on my part; the charge was something like accusing a man of robbing himself. That Andrew may have missed or mislaid the paper is possible—that he may have supposed that I had folded it up with my own papers by mistake is possible—but that any sane or reflecting mind should seriously imagine that I had designedly taken it, or had any interest in retaining it, if I unconsciously folded it up with my own papers, I declare to be impossible; for, to myself it was not worth the tithe of a farthing—it did not bind me or my client to anything—the bond was the operative instrument against us, and this agreement was to reduce and limit the effect of that bond, I have already shown. So, however, it was. Mr. Andrew was a man of an envious turn of mind. He was considerably my senior, and could ill brook to see a stripling, just out of his articles, carrying away all the business of the neighbourhood. Elated by success, and with all the ardour of youth, I did not, perhaps, bear my honours with the most exemplary meekness; and Mr. Andrew and myself seldom met without some display of warmth on one side or the other. Having circulated the slander, the indignation of my friends brought them about me, clamorously demanding that I should seek redress in a Court of Law. For my own part, I always thought, that the absurdity of the charge weighed down its iniquity. I had treated the accusation as a piece of passing insolence, characteristic of the man, and had even told my accuser, in presence of witnesses, that if he really had lost his agreement, he should have a copy of mine whenever he thought fit to ask for it in the language of a gentleman. But rumour, with its usual exaggeration, soon put it about that I had taken a valuable document from the office of an Attorney. According to some it was title deeds to property; according to others, a piece of testimony all important to my adversary in a cause in which we were engaged; according to others, it was a bond for money; and some, I believe, actually imagined it was a bag of gold I had laid my hands upon. Under these circumstances, I complied with the wishes of my friends, and brought an action for slander against my accuser Andrew. This was an injudicious step. I ought to have known that, having circulated the slander, he would find means to support it when he saw the severe penalties of the law staring him in the face as the consequence of his temerity. I ought also to have reflected, that, being an officer of the Court of King's Bench, all such acts as that imputed to me are justly cognizable by the Judges upon affidavit, and that an invitation to my adversary to carry his complaint there, where, if he failed, he would be struck off the Roll of Attornies, would have been a sufficient refutation of his slander, and a sufficient vindication of my character. I brought an action against him for slander, however, and at the same time moved the Court of King's Bench to restrain him from proceeding in the action which he had commenced against my client upon the bond, and to hold him to the terms of the agreement. In my application I swore that I believed the agreement which I was charged with taking from his office, "was in the custody, possession or power of the said Thomas Andrew," at the same time producing my own counterpart. He did not venture to insinuate in his affidavit that I had got the agreement, neither did he swear that he had not got it himself, although this was a fair challenge for him to do so. He disputed the validity of the agreement as an instrument binding in law, and the argument of his counsel prevailed, for Mr. Justice Richardson decided, that it was an equitable contract, and could not be enforced in a Court of Law. I then urged a reference upon him of the matters in dispute between my client and his mother-in-law. It was agreed to, and the award was in favour of my client, upon the terms of the agreement, the "equitable contract." All this was expensive, but not enough for Mr. Andrew. He evaded the award. The reference not having been made a rule of Court, was not enforceable in law. In spite of all I could do, my unfortunate client was ultimately dragged into a Court of Law—the costs, instead of being *5l.*, to which I had limited them by the agreement, mounted up to a sum nearly equal to the verdict, and were mercilessly exacted from one or both of these helpless parties. Having traced this cause to its issue, in which it will be seen that all my exertions had but the one tendency, viz., to enforce the agreement I had originally drawn up, and that all the efforts of my opponent were directed to defeat that object, and evade his agreement, I will now return to my own action for slander against this man, Andrew. Pending my application to the Court of King's Bench to compel Andrew to abide by the agreement, the Assizes at Chelmsford came on, and my action was ripe for trial. Upon the advice of my counsel, who considered that we ought to have the advantage of Mr. Andrew's affidavit, in answer to mine in the Court of King's Bench, in which affidavit we were persuaded, as it turned out, he would not dare to swear that he believed I had taken the paper in question from his office—agreeably to this advice the trial was postponed. It is material that I should mention this circumstance, and that the House should bear it in mind, for it will be seen afterwards that this important testimony, for the sake of which the trial was postponed, was not permitted to be used on the trial. The trial at length came on. Mr. Garrow, whose ability and powerful eloquence need no eulogium of mine to make them known and appreciated, did his best to defeat me, and save his client Andrew. He adverted to my political character, my readiness to come forward upon any platform (I had lately been struggling with the power of corruption, and stirring up the men of Essex to a sense of their rights), and he then with all his tremendous power of misleading the minds of a Jury, fell foul of the postponement of the trial, as evidence of a shrinking incompatible with a nice sense of honour, and accountable only by the supposition of conscious guilt.

The defendant had put a plea of justification upon the record. The consequence of not sustaining such a plea, I need not tell the House, is considerably to aggravate the offence and increase the damages. The defendant then had to support his plea at all hazards; his fortune depended upon it. He put his brother, John Andrew, into the box for this purpose. I had no answer to make to his testimony—I had no witness—it is not in the power of human evidence to prove a negative. I had, to be sure, the important negative testimony of the defendant himself, whose affidavit in the Court of King's Bench, in which was the omission, so pregnant with inference, to swear that he had not got the paper. The defendant, it must be observed, knew that the trial had been postponed expressly to give him an opportunity of contradicting me upon affidavit, if he dared; for the opinion of my counsel, adverting to the motion in the Court of King's Bench, was inserted in all the county newspapers. This striking omission, therefore, after such a challenge, was all-conclusive. There was also my own affidavit. Both these were in Court upon the trial, and the proper officers of the Court of King's Bench were also present to prove their having been filed; but they were deemed by the Court to be inadmissible by the rules of evidence—rules, by the way, which, however good for the general guidance of suits, will occasionally work partial wrong. I was then bereft of all evidence in answer to John Andrew. The case was left to the Jury, who had to determine between evidence and probability. They found their verdict for the defendant.

Whether they thought the testimony of John Andrew, who, be it observed, gave very loose evidence, of sufficient weight or importance to carry the verdict—whether they thought my proof of the slander fell short—whether, having a doubt upon the evidence, they resolved to give the benefit of it to the defendant, or whether they were carried away by the captivating sarcasm of Mr. Garrow—whether any or all of these reasons combined to produce the verdict it would not become me to inquire. I did not, of course, acquiesce in the judgment of that verdict, and in the outset thought of nothing but applying to the Court for a new trial, for which, however, upon conference with my counsel, it did not appear there was any sufficient legal ground. Reflection also came to my aid. I found that the result of this trial had worked me no prejudice. My friends were kinder and warmer in their friendship than before; my business, instead of falling off, increased; fresh clients came to me merely to testify their disbelief of the ridiculous calumny for which I had in vain endeavoured to gain redress in a Court of Law. My neighbours, who knew the characters of my opponents, gave me renewed assurances of their regard and respect. I had had enough of this Andrew and his brother. A Court of Law appeared to me in the light of a lottery, in which there were nearly as many blanks as prizes for those who sought justice, and I must candidly confess, that I did not then imagine that this case would have been made a stalking-horse to my political enemies years and years after its occurrence.

For these reasons, having my business to attend to, and politics, with the distant prospect of a seat in this House, just then rising in the ascendant to dazzle and engage my youthful mind in the pursuit of higher objects—feeling that I had suffered no damage, although I had been unable to punish my calumniator—I determined not to involve myself in any further litigation for an object which, as far as my character was concerned, seemed fully attained. One gratifying circumstance I may be permitted to mention, as tending to mark the sense of my neighbours upon the whole of these transactions, and the total absence of any stigma being supposed to rest upon my character, that within a very few months from the date of this trial, I was honoured with a requisition from Colchester, for the first time, to offer myself as a candidate for the Representation of that important and independent town. With this requisition I complied, and the result will show how strong was the feeling. I gained twice as many plumpers as both my opponents, one of whom was the son of Mr. Hart Davis, and the other the Chairman of the East-India Company, who had for five-and-twenty years represented the town, and who only succeeded by an expenditure of nearly 40,000*l.* in defeating the general interest in my favour by a small majority of thirty-three upon a total poll of 14,006.

I cannot persuade myself that a candid review of these circumstances, authenticated by documents which it would be in my power to bring forward, will not satisfy any unprejudiced mind that I have, from the first to the last, been the victim of the vilest and most improbable slander, with reference to this case. Nor is it within the compass of the wit of man to reason me out of a conviction, which I shall carry with me to the grave, that had I not been a politician as well as successful Attorney, independent in my principles, belonging to neither party, and therefore the common prey of both—the sworn foe of corruption, whom we have at length beaten down under our feet, and always the bold, undaunted, and uncompromising enemy of the enemies of my country, whatever form or name assuming—I say, Sir, without pointing to this person or to that, or to one body of men or another, to the component parts of a Court of Law, or the members of the secret and irresponsible "domestic forum," to which I have alluded, that no powers of persuasion will ever root from my mind the conviction that I have not had that fair dealing which a man who had not engendered so many political hostilities, would in the usual course of things have obtained. Indeed, I cannot doubt that, had I thrown myself into the "nomination" market of politics, and become the favoured nominee of some powerful lord of the extinguished boroughs, or had I chosen to make an alliance with some suspicious remnant of aristocratic gentility, I should not have wanted for friends and advocates in high places to protect my character from aspersion, and to have discovered in my humble abilities pretensions to a liberal share of those spoils of the state which have too long provided for the sons of corruption. Choice led me to avoid the one, and principle to disdain the other. But it seems I am not only to encounter the open hostility of open foes, but I am also to be treated with the perfidy of professed friends, with whom I have gone hand in hand in a work of great public service, whom I have sustained with equal zeal in opposition as in office, and for whom in all fidelity, and at their own urgent solicitation, and especially at the last general election, as is well known in influential quarters, I made great and painful sacrifices.

I have now to trouble the House with a brief exposition of the circumstances of the other case to which the learned Attorney General has referred. And in order to obviate any prejudice which might arise from the bare fact of there being two cases to explain, a prejudice which an artful enemy would not fail to stimulate, and which I admit might be conscientiously entertained by well-meaning minds, I will beg of hon. Members to do me the favour to transport their imaginations to the scene of action and the circumstances of my position.

In the year 1809, when the cause of this second action accrued, I had been but two years established in practice as a Solicitor. I was extensively known in the county, and had a reputation perhaps, far beyond my humble merits. Business had come in upon me with a flood-tide. I had six clerks in constant employment, and my own time was unceasingly occupied in advising clients, bringing or defending actions, preparing for trial, with suits of every variety and in every stage of litigation. Independently of this, I was dabbling in politics, and, as I had entered the field single-handed against two powerful factions, it was all up-hill work, and brought with it a world of troubles in addition to my professional cares. The wonder then will appear, not that I was engaged in personal litigation at the instigation of vigilant enemies and envious rivals, but that I was not plaintiff or defendant in more actions than can be alleged against me. It is really distressing egotism to be called upon thus to speak of oneself. But I can assure the House, that to get a "slap at Harvey" in those days, who, on his part, was at all in the ring, without waiting for invitation to combat, was thought by the generality of folks, as fair sport as hunting the fox or the hare, whilst, undoubtedly, there were not wanting those who mingled feelings of a deeper character with the opportunity of successfully persecuting me. I trust, therefore, that no preliminary prejudice will operate against an impartial hearing of what I have to allege in answer to this second charge. It originated in the same quarter, the action being brought by the same Mr. Andrew, of Coggeshall, to whom I have already drawn your attention. The facts lie in a nutshell. In the year 1809, I was in the habit, mostly in conjunction with my father, who was then possessed of ample pecuniary means, of purchasing estates and selling them at a profit. This is perfectly notorious in the county of Essex, and I do not know that I can offer any other proof of the fact, unless I were permitted to bring witnesses to the Bar of this House, or before any other tribunal, to testify to the truth of my having so purchased from them upon speculation. I was not a land-agent or auctioneer, to sell other men's land on commission, nor is such an employment any part of the business of an Attorney. But as a man of ample resources, and of a speculative turn, I bought estates outright at such prices as I thought would enable me to gain upon the subsequent sale, sometimes borrowing the capital of my father and going shares with him, and sometimes using my own, as convenience might dictate; and this was so notorious, that nothing was more common than for persons disposed to part with their property to make us the offer of it. Amongst other persons it happened that a Mr. Frost came and offered his little estate, consisting of eight acres of copyhold land, situate at Coggeshall. He had only a moiety in the estate, his sister having the other, and his father a life interest in the whole. For his share Mr. Frost demanded 500*l.*, but I refused to bid for it unless he could bring his father and sister to part with their interests to him, so as to enable him to deal with me for the entirety, and for which purpose he effected a contract with his father and sister, giving to the former 150*l.*, and to the latter 300*l.* for their respective interests, and a written agreement to that effect was regularly executed. Mr. Frost having thus possessed himself of the whole, I then agreed for the purchase of the property from him at the price of 950*l.*, and an agreement, duly stamped, and attested by two witnesses, was executed between Mr. Frost and myself. As the whole question turns upon this agreement, I beg the House will bear it in mind. So extravagant was the price considered by my father, that he refused to have any part in the speculation, but happily, I subsequently found a most liberal purchaser in a Mr. S. Skingsley, to whom I sold it at a profit of 500*l.* The land lay contiguous to his estate and residence, and, in his eyes, possessed an arbitrary value on that account. Had I not sold it to him, and which I admit I thought highly probable when I made the purchase myself, although I had never had any conversation with him on the subject, I must have been a loser, as I could not have got the price I gave for it from any other person. These are the facts of the transaction which afterwards gave rise to the trial of Frost *v.* Harvey. The whole affair was concluded in 1809, and the circumstance of my having made a profitable speculation of Frost's copyhold was no secret, but matter of notoriety in the neighbourhood, as such things generally are. This was the first time I had had any dealing of any kind with Mr. Frost. Being on his part, however, well satisfied with what had passed between us, he afterwards came to me to employ me professionally. I received rents for him and there was for some years a running account between us. In the year 1814, five years after the date of the transaction, an action was brought against me by Andrew on behalf of Frost. The action directed by Frost had no reference whatever to the

500*l.*, but solely to the balance of accounts between us, he claiming more than I admitted to be due. At the outset of the action I professed my readiness to pay whatever was due, and abide by the decision of any impartial man as to the amount. Mr. Andrew, however, promised his client more than he sought, and told him, that he would not only obtain any balance of account that might be due, but that he would also recover for him 500*l.* which I had illegally taken upon the sale of his land. As a proof that this was not the original motive of the action, but was a mere afterthought of the Attorney, I need only mention that Mr. Andrew, had proceeded some length in the action before he introduced this new topic, when he took out a summons to amend his "particulars" for the purpose. I, of course, resisted this iniquitous demand, which was founded upon the specious pretence, that as I was Attorney to Mr. Frost, I could not purchase his estate, there being a *dictum* of the Courts, that an Attorney cannot legally purchase of his client. Of course it was necessary, in order to support this allegation, to show that I was employed by Frost in the character of his Attorney in the business; that he met me as his professional adviser, instead of meeting me as the avowed purchaser of his property. I need scarcely observe, that the agreement between Frost and myself for the purchase by me of his estate for 950*l.* to which I before adverted, completely demolished this pretence of the Attorney, Andrew. The entire question, indeed, in the form in which it has this day been revived, hinges upon that agreement, of the existence of which I shall be able to refer to the most satisfactory and conclusive evidence. The trial came on in the Lent Assizes of 1814, at Chelmsford. Mr. Serjeant Best, now Lord Wynford, Mr. Marryatt, and Mr. Nolan appeared for the plaintiff: Mr. Smith was my sole counsel; and he had but one duty to perform, which was, to obtain the postponement of the trial, upon the affidavit of the serious illness of a principal witness; an individual who had been my clerk, and was actually the attesting witness to the deed of agreement, upon which, as I have before stated, the whole question as to the 500*l.* depended. The Court, at the instigation of the opposing Counsel, would only consent to my application upon terms, and these terms it was unfortunately not in my power to comply with. The Judge required that I should pay into Court 400*l.* or 500*l.* and the costs *instanter*, as the condition of the postponement. It was not in my power to draw a cheque for that amount. But I offered what appeared to me to be an ample equivalent, viz. to pay the required sum into Court by the first day of next Term, or consent to a judgment for the full amount of the damages 897*l.* More equitable terms, one would suppose, could not have been offered—for the plaintiff could not get a judgment before the fourth day of the following Term. The learned counsel for the plaintiff, however insisted upon the conditions of the Judge being complied with. My Counsel offered no further opposition, and the trial proceeded.

Confident of the postponement of the trial, as advised by Counsel, for the reason assigned to the Court, having no witness to prove the execution of the agreement, whereby alone it could be made admissible evidence, I had delivered no briefs. When, therefore, I unexpectedly found Judge and Counsel determined to proceed, I had but one course left. I did not choose to remain a spectator of this cruel mockery of a trial, and I therefore, left the Court to execute justice after its own fashion. The cause was taken and conducted to its close as an undefended cause. Not a tittle of evidence was produced on my behalf, and the Jury were left to infer that because I was an Attorney at Kelvedon, and had bought an estate at Coggeshall, therefore it was a dealing between Attorney and client, proscribed by the law, fraudulent, &c. &c. A verdict of 879*l.* was given, and I was about to move for a new trial, upon the particular circumstances of the case, when that was rendered unnecessary by the conduct of the plaintiff, who upon being rallied by his friends on the advantage he had taken of me, expressed his surprise at the course his Attorney had pursued, and honourably disclaimed any intention of disputing his own agreement; declaring that he would not profit by a verdict which awarded him a sum of money he never claimed, or instructed his Attorney to proceed for; his demand being entirely restricted to a presumed balance upon subsequent dealings and transactions which had no sort of reference to the by-gone affair of the Coggeshall estate. In pursuance of this feeling, Mr. Frost lost no time in changing his Attorney, and placed the future conduct of this cause and his general affairs in other hands. The result was, that after an amicable investigation of our mutual accounts, a balance of something less than 100*l.* was found due from me to the plaintiff, and which, with costs, making 250*l.*, I immediately paid, and for which I have now his receipt. I have one remark further to make upon this cause, viz. that in the first publication of the county papers, after the trial, I inserted an advertisement, stating that the agreement of sale between Mr. Frost and myself, as also between Skingsley and myself, were to be seen at my house, and inviting all persons to come and inspect them—an invitation which, in justice to me, many persons accepted. I have also to state, that my colleagues, the Common Councilmen of Bishopsgate Ward, thirteen in number, met, at my instance, for the purpose of investigating this matter, and to repel the imputations which had been thrown out by Counsel in this undefended cause. Into their hands I placed the Agreements between myself and Frost, and also between myself and Skingsley. They deliberated upon the whole affair in my absence, and came to an unanimous resolution, communicated to me by their Chairman, Sir William Rawlins, "That my conduct throughout the whole transaction had been marked by the strictest attention to the principles of integrity and good faith." I really feel, that to offer another word upon this part of the subject would be most unreasonably to waste the time of the House.

Well, then, these were the cases I was called upon to explain before the Benchers, having received no intimation of their intention to desire explanation until the last moment, when I applied to be called to the Bar, and had made all my arrangements for entering at once upon the business of my new profession. I readily acquiesced in their wish. Tales of exploded and long forgotten slanders having been brought to their ears, I could but be anxious for the opportunity which this demand for explanation afforded me, of obliterating for ever the evil impressions from the minds of my judges; and I entered upon the explanation with the confidence which conscious innocence inspired, that the hour of complete refutation and triumph at this last ordeal of character was at hand. I made the same statement of facts and circumstances there that I have made here this evening. In the case of Harvey *v.* Andrew, I offered to produce evidence of the utter worthlessness of John Andrew, who was put into the witness-box to sustain his brother's plea. This evidence they declined receiving. Why, then, it may be asked, did they enter into the inquiry at all? Upon what principle did this inquest upon character propose to conduct its investigation? Either they were to admit my statement as truth, or, doubting it, were bound in common sense and common justice to hear the witnesses by whom I proposed to substantiate it. They had heard the evidence on one side—they had listened to the accusation made in secret, but refused to hear witnesses for the defence. What was there let me again ask, in the judiciary conduct of the Star Chamber, or the Spanish Inquisition, more arbitrary, capricious, or monstrously absurd and unjust, than the solemn mockery of this proceeding? But, it may be said that the verdict of a Jury is conclusive. This is evidently not the view taken by the Benchers. If it were they never could have called upon me to explain the circumstances attending those verdicts, and the means and evidence upon which they had been obtained.

With reference to the other case, of Frost *v.* Harvey, the Benchers did receive evidence. Their report admits, that the only consideration in the case was the existence of the agreements between Frost and myself, and Skingsley and myself. To prove their existence I produced a respectable Attorney, formerly a clerk of mine, who fully testified to the fact. I offered the evidence of thirteen Common Councilmen of the Ward of Bishopsgate, who had had these agreements in their hands, and the evidence also of many persons who came to see them at my house immediately after the trial, in consequence of the public invitation inserted by me in the county newspapers, and in answer to which advertisement and public challenge as to the fact, neither Andrew, nor Frost, nor Skingsley, nor any other person or party to the transaction, ever ventured to insinuate a word; I also offered to produce the stamp distributor who sold the stamps to me, and the conveyancing clerk who prepared the agreements, the clerk who engrossed them, the witnesses who attested them, my bill to Frost in which they were charged, and which he paid. The Benchers, however, treated very lightly this mass of evidence, refusing altogether to enter upon it.

Such was the kind of justice meted out to me by this anomalous judicature; and how the learned Attorney General can sit and hear it unmoved, I own is to me a matter of unqualified astonishment. I will give an instance of what his learned colleague, the present Lord Chancellor thought on the occasion. He, some time since, said to me, "Come and see me at Serjeants' Inn next Monday night; there is a case coming on, which, if possible, is more oppressive than yours." I replied, "Of what use is it for me to go? they will not allow me to enter—do not you know it is a secret tribunal—have you forgotten my case?" The next day he saw me in this House, and he said to me, "You were perfectly right, they would not allow any one to enter." Now, I ask every Gentleman who hears me, is it fit that such a tribunal should exist in this country? I appeal to the Members of this House, as the guardians of the liberties of the people, whether it is fitting that a tribunal should be allowed to exist in this country, exercising the powers of sovereignty over the happiness, character, and fortunes of men, and spreading abroad rumours that blast their brightest hopes, and cast a shadow over all their earliest prospects, and yet possessing none of the attributes of justice. What did it signify that my learned Counsel told the Judges he could bring evidence to sustain my case? they would not hear it, alleging that they had no power to examine witnesses, or inspect documents. When the closed doors are besieged with witnesses, prepared to confirm all the facts which I had stated, we were told, by British Judges, that it was not a Court of Justice, and that they could not enter into such matters? Ought these things to go on without redress? The hon. and learned Gentleman says, that I have laid great stress upon my own case. Now, if there is one circumstance more than another which distinguishes the moral character of men, it is the fear, slavishly betrayed by some, and courageously thrown aside by others, of developing their own wrongs. Why, Sir, the very best measures of legislation have grown out of acts of individual injustice, which, until brought before the public eye, and disclosed to the Legislature, were practised with impunity against individuals, by secret and self-created tribunals, in the absence of all forms of justice, and in the spirit of a pure and perfect despotism. Talk of the Court of Benchers being a domestic forum, exercising a tender and parental solicitude over the interests and character of its members? Why, Sir, it is a species of moral murder. What are the subjects which are brought before them? I will suppose that a member of the profession shall commit the highest of all moral crimes—that of running away with the wife of another man, despoiling the husband of his honour, and his children of their guardian—that a Jury of his country shall have imposed the highest penalty which it is in the power of a Jury, under the guidance of the Court, to inflict; and I ask the learned Bencher opposite, do they take cognizance of these things? Do they degrade and expel the convicted offenders by whom such acts are committed? Have we not seen at the bar of this House, evidence given, by which a Barrister, now practising with considerable eminence in India, was convicted of the grossest violation of every moral principle, and have the Benchers met upon the case? Can they meet upon it? I want to know this; what are the crimes of which a man is to be guilty, in order to disqualify him from gaining his bread by following the profession of a Barrister? The public have a right to know this. I will venture to say, that half the Gentlemen whom I have now the honour to address, never heard the particulars of my case till this night. Look, then, at the cruelty of my situation. Might not those Gentlemen have been thus addressed? "Do you know Mr. Harvey—have you heard any thing about him, or against him?" To which they might answer—"I know but little about him, but something about his having applied to be called to the Bar; but that the learned and upright Benchers refused him; and when he applied to the Judges for redress, they also refused him." Is not this the cruellest species of injustice? Nothing can injure the reputation of a man so much as to make him the object of vague conjectures and dark surmises as to some undefined crime, which he is suspected of having committed. Is it forgery—is it murder—or what is it that I have been guilty of? Let me have the brand, if I deserve it, and convict me; but in mercy tell me what is my offence?

Speaking as I now do, to the Members of the British Senate—who, even as this House is now composed, are as a body, distinguished for their moral and intellectual qualifications, I ask them, whether it is fitting that a man should be condemned by a secret tribunal, like that which I have described, without having the power of compelling that tribunal to lay the record of his crime and condemnation upon the Table of this House? Gracious God! can this be justice? And can it be in England where such things exist?

The Attorney General says, there is a Committee of Justice to which I may appeal. Will he second the motion to have a Committee of Justice appointed? I shall owe him gratitude if he will! I never yet asked a favour of any man—I have been unused to play the courtier, or to offer the incense of servility, or the blandishing strains of flattery to men in power. I have always maintained my independence, and I will maintain it still, whether in this House or out of it; but I ask the learned Bencher—and it is the only favour I ever will ask of him or the party to which he belongs—that he will second a motion having for its object a strict and full and open inquiry into all the circumstances of my case. Let evidence be brought forward, and by the result of that inquiry I will abide. But I never will sit down the willing victim of this most ungenerous and party-coloured statement, which has been artfully made to crush me and my fortunes. When I return to my constituents I shall rely upon the integrity and simplicity of the course I have sustained. They will sustain me as they have nobly done upon former occasions, for I have never done any thing, nor ever will, either to tarnish my reputation as a Member of this House—which, I trust, is as high an honour as to be a Barrister-at-law—or to lessen my pretensions to be again returned as the Representative of the people. Sir, I shall fearlessly take the sense of the House upon this Motion.

The *Attorney General* wished to be allowed to explain one circumstance. Those who had not heard the whole of the Debate, might be led to imagine that he had made an unfair and ungenerous attack upon the hon. Gentleman, by unnecessarily bringing matters of a private nature before the House; on the contrary, he had only introduced a few circumstances which the hon. Gentleman himself omitted, and which certainly tended to explain many parts of his own statement.

Mr. *Croker:* It is exceedingly painful to be required to decide a question of personal character, upon a discussion of public policy. Admitting, as I am bound to do, knowing nothing to the contrary of the truth of the hon. Member's statement, and the clearness of his character, still I do not think that this, of itself, would be a sufficient reason for making a general rule for all times and all cases, without much wider inquiry into the whole subject of admissions to the Bar than the discussion of the hon. Gentleman's particular case could supply. I therefore most unfeignedly feel the difficulty of giving a vote on the motion of the hon. Gentleman, which must be a negative, and would have the appearance, in some degree, of passing a condemnation on himself. I would ask him therefore, to consider whether he acts wisely in putting his personal case upon that issue? If he does, I think it equally fair to say that, in voting against his motion, I do not mean to vote against him. My vote is guided by the consideration that we are called upon to lay down a general rule on an important public question, which I am not prepared to support.

The House then divided on the Motion:—Ayes 52; Noes 68; Majority 16.

Bribery at Elections.] Lord *John Russell* moved for leave to bring in a Bill to repeal, consolidate, amend, and render more effectual the laws relating to bribery at elections.

Mr. *John Campbell* wished to learn from the noble Lord, whether it was his intention to introduce a clause in his Bill, requiring persons elected Members of Parliament to take an oath at the Table of that House that they had not been guilty, directly or indirectly, of any corrupt practices previously to taking their seats? If such a provision was not found in the Bill he should bring the subject under the consideration of the House.

Lord *John Russell* had no intention of requiring such an oath, and there was no provision of the kind alluded to, in the Bill he proposed to bring in.

Sir *Robert Peel* was surprised that the noble Lord had not thought proper to favour the House with any outline of the provisions of the Bill. The noble Lord should, at least, do that.

Lord *John Russell* said, that in the then exhausted state of the House he was unwilling to trespass at any length upon their attention, and, therefore, he wished to postpone till the second reading any statement which it might be necessary for him to make.

Sir *Robert Peel* begged it to be understood, that as he was unacquainted with the Bill, so he made no objection to it.

Mr. *Hunt* said, that the only way to prevent bribery was, to give the electors the right of voting by ballot; and he should move a clause having that object in view.

Leave given, and Bill ordered to be brought in.

CLAIMS ON THE PRINCES OF INDIA.] Sir *John Malcolm* moved for Copies of all Correspondence, since May, 1831, between the Commissioners for conducting the Affairs of India and the Directors of the East-India Company, respecting the pecuniary claims of British subjects on native Indian Princes, or other natives of British India, subject to the authority of the East-India Company. They had recently had some experience of the inconvenience of bringing claims of that kind before the House of Commons; and he had, therefore, endeavoured to impress on the Government, the necessity of appointing some more competent tribunal than a Committee of that House to investigate claims to which it was impossible it should do justice. Although forbidden by law, the temptation to lend money to the native princes was so great, that it was impossible to put a stop to the practice. That necessarily involved the East-India Company in disputes with the lenders, and the appeal was made to the House of Commons. Under these circumstances, as a guide to the House of Commons, he thought that these papers ought to be laid upon the Table.

Mr. *Robert Grant*, in the absence of his right hon. relative (Mr. C. Grant) who was confined by indisposition, hoped to satisfy the hon. Member, in a very few words, that he was bound to withdraw his Motion. The East-India Company were at all times ready and willing to give every explanation in their power with respect to the demands on them, or the native princes connected with them. It so happened, however, that there were at this moment only five cases which came under the denomination of those referred to by the hon. Member. Of those five, two had been already made the subject of parliamentary inquiry, and the correspondence connected with them was before the House, and under consideration of Committees appointed for that purpose. The other three, involving also the claims of British subjects on native princes, were at this moment the subject of negotiation, and as the correspondence was still going on and therefore incomplete, he trusted the hon. Member would see the impropriety of requiring its production. For these reasons, because, out of five cases, two were already before the House, and three incomplete, he thought the hon. Member would see the propriety of not pressing his Motion. But, if it was pressed, he must move the previous question.

Mr. *Astell* said, it was most desirable the country should know that the East-India Company acted with perfect fairness with reference to all claimants, and he would, therefore, support the Motion.

Sir *Robert Peel* was convinced, that the House of Commons was a most unfit tribunal for the consideration of questions of this kind; and he hoped, therefore, that the charter of the Company would not be renewed without their consenting to the appointment of some body, whether members of the Privy Council or a Special Committee, who would relieve the House of Commons from the odium of resisting the just applications of individuals, through a sense of the inconvenience of the precedent, or from a conviction of their own incompetency. The House had followed this course with respect to elections, and he did not know why they should not also adopt it with respect to the claims of individuals, which were always considered with favour when made against powerful bodies or companies. He must strongly object to the appointment of Committees to investigate such claims, when made by individuals against the East-India Company, because that was calculated to shake the authority of that Company in India. He did not know the intentions of Government on this subject. [Lord *Althorp* said, that the question was under consideration.] He was glad to hear this from the noble Lord, as he thought the charter should not be renewed without such an assurance. As he understood that there was no objection to produce the correspondence, but that it was not yet complete, he would recommend his hon. friend not to press his motion.

Sir *George Warrender* agreed with the right hon. Baronet in the propriety of some arrangement on this point.

Motion withdrawn.

PARTY PROCESSIONS (IRELAND).] Mr. *Stanley* then rose, in pursuance of his notice, to move for leave to bring in a Bill to restrain, in certain cases, Party Processions in Ireland. He hoped that, at that late period of the session, and with a knowledge of the near approach of one of those periodical processions which it was the object of his Bill to restrain, no hon. Member would object to his bringing forward his motion at that late hour of the night (half-past one o'clock). He acknowledged that the title of his bill was calculated to awaken constitutional jealousy; at the same time, in the provisions of the Bill itself there was nothing to alarm the warmest advocate of the most extensive political liberty. The object of his Bill was not to fetter the manifestation of political opinion in any way whatever. His Bill was directed against party processions connected with religious subjects, and calculated to maintain and prolong religious animosities, which moved with banners exciting angry feelings, and which were not unfrequently armed, ready to meet the conflicts they provoked. It would be for the House to decide, after it had made itself acquainted with the details of the measure, whether he had properly characterized its nature and extent. The object of it, he again repeated, was, to place certain restrictions on those processions which, for a series of years now past, had taken place periodically—which arose out of the former collision of religious opinions—and which produced no other result than an increase of that mutual rancour, which for so long a time had animated the two great religious sects into which Ireland was unfortunately divided. His Majesty's present Government had hoped, and their predecessors in office had also hoped, that the settlement of the Catholic Question would have terminated these displays of religious animosity; and any Government would have preferred waiting for the happy consummation of that healing measure—for a healing measure he was certain it would still turn out to be—to placing restrictions upon those ebullitions of sectarian feeling which it was the object of this measure to restrain. But the experience of the last three years proved too clearly that no diminution of that rancorous feeling had yet taken place. Year after year the religious festivals of both parties had been marked by violent ebullitions of religious feeling; and scarcely one of the processions by which they were distinguished, had terminated in Ireland without tumult and bloodshed. Former Governments had issued proclamations warning the people that these processions were illegal. The most respectable men of both parties had exerted themselves—and, in many instances had exerted themselves successfully—in order to prevent these displays of angry feelings. He knew that several Magistrates, who, though they were themselves enrolled among the Orangemen, had shown the most marked anxiety to put an end to these processions, which terminated not only in bloodshed for the day, but in the continuation of animosities for years, he might perhaps say, for generations. On the other hand, it was only an act of justice to the Catholic clergy to acknowledge, that they had endeavoured, with the most praiseworthy zeal, to prevent the display of Catholic feeling on the 17th of March. At the same time, both the Orange Magistrates and the Catholic Clergy were placed by those processions in a situation of delicacy and of difficulty, from which it was the object of this Bill to relieve them. Every one of these processions, as they had all a tendency to break the peace, was a misdemeanour by the common law; but the question which rendered the interference of a Magistrate so difficult, was the question as to the precise moment when these meetings became illegal. The Magistrate must have the oath of an informer, declaring his apprehension that a breach of the peace would ensue from them; and, even when that oath was obtained, the Magistrate had to exercise his discretion, lest he should interfere with an assembly that was perfectly legal, or should admit a meeting to continue which was illegal. The object of his Bill was, to define the cases in which these processions were illegal, and therefore punishable as a misdemeanour, and to lay down a line which would enable the Magistracy, by following it, to put an end to such processions when they were illegal. At that late hour of the night it was impossible for him to enter minutely into a description of the details of the Bill. He would merely say, that processions on days set apart for religious festivals, or on days set apart for celebrating party triumphs, arising out of religious events, accompanied by banners, badges, and fire-arms, of which latter too many of these processions were even wantonly lavish, were circumstances which called for a declaratory law rather than a new enactment by the Legislature, as an assistance to the Magistracy in the performance of those duties which, he was happy to say, most of the Magistracy were anxious to discharge. He would not enter at that moment into a further description of this Bill; he would only say, that it was a short Bill—but short as it was, it deserved, he admitted, to be thoroughly canvassed, and the limits of it to be fully investigated. Looking at the period of the year, and knowing that one of the days for the manifestation of religious feeling was rapidly approaching, he thought that nobody would deny, that it was expedient that Parliament should pronounce an opinion upon processions of this description. He therefore trusted that no objection would be made to the Motion with which he should conclude—namely, for leave to bring in a Bill to restrain in certain cases party processions in Ireland.

Mr. *Maxwell* objected to the measure, because it was partial in its application. It ought to extend to England as well as to Ireland; it ought to apply to the Radicals, as well as to the Orangemen. The Radicals were quite as much in the habit of marching in procession as the Orangemen, but the object of these two parties was very different. The Radicals wished to upset, the Orangemen to preserve, the institutions of their country. The object of the Orangemen in their processions was not to irritate the feelings of their Catholic fellow-countrymen; they walked together to celebrate events to which they thought they owed the many blessings which, as Protestants, they enjoyed, and for which they never could be sufficiently thankful. He was sorry to say that he must object to this Bill being brought in.

Mr. *Ruthven* heard with regret the sentiments which had just fallen from the hon. member for Cavan. At the same time, he could not help declaring his opinion to be, that there was no necessity for adding that Bill to the Statute-book, if it were to be considered as nothing more than a declaratory law. He thought that, if the Government of Ireland would determine to carry the present law firmly into execution, it would be found sufficient to check the evil which the right hon. Gentleman had so properly denounced. So long, however, as Magistrates were allowed to act as reviewing officers of these processions, so long would these processions continue to disgrace and to harass the country.

Lord *Ingestre* would not oppose the introduction of the Bill. He could wish, however, that its application were extended in the mode suggested by his hon. friend, the member for Cavan.

Colonel *Perceval* must defend the Orangemen and Orange Magistrates from the imputation of hon. Members; but he declared, at the same time, that he was an enemy to these processions. He was not at present in the Commission of the Peace; but when he was in it, he had used his utmost endeavours to prevent these processions in those parts of Ireland in which he resided. The case was, however, very different now. The country was in such a state of agitation, he might even say of rebellion, that the Protestants no longer looked to Government for that protection which they had a right to claim. The Orange Societies were not secret Societies; their objects were known and avowed; they sought to uphold the Protestant Establishment in Ireland, and to maintain that connexion with Great Britain which some persons were so anxious to dissolve. And yet, with these objects in view, the Orangemen were almost driven out of the country, and treated as rebels. Such of the Magistrates as were Orangemen were treated with contempt; if they ventured to attend the most peaceable Orange procession, they ran the risk of losing their commissions, whilst Magistrates on the other side, who attended tithe meetings, and encouraged the peasantry to open breaches of the law, were allowed by Government to proceed without interruption, and with complete impunity. Now, too, on the 12th of June, a measure was brought forward to prevent the processions of the 14th of July—a measure which he would at once denounce as a direct insult on all the Orangemen of Ireland. And yet this very month, processions which marched with tricolored flags, and banners emblazoned with Reform, were encouraged, if not promoted, by the

Irish Government. Let Ministers do their duty impartially to persons of every religion in Ireland; and if they did that, they would find no difficulty in tranquillizing that country. When that was done, he should be happy to lend them his humble assistance to put down all party processions in Ireland. At present, however, he could not support this measure. On the contrary, as it would give encouragement to the agitation and rebellion with which Ireland was so rife, he must meet it with his most strenuous opposition.

Mr. *Shaw* looked upon this measure as a mere mockery of legislation. It was legislating against a particular class, and not for the benefit of the community at large. Why should it not be directed against the Political Unions as well as against the Orange Associations? He would tell the House the reason why. The reason was, that noble Lords were favourable to those Unions. The country had seen noble Lords corresponding, on the most friendly footing, with those Unions, which had put down the independence of the House of Lords, and weakened the stability of the Throne itself. There had been processions in Ireland, headed by Catholic priests, taking the most revolutionary course; and yet the country had not seen Government take any measure to put them down. This measure was avowedly brought forward on account of the proximity of the 14th of July. He could not help considering it as a measure intended to conciliate the hon. and learned member for Kerry and his friends, and to neutralize the hostility which they felt against the Government, for the opposition which it had given to their plans of Reform. He belonged to no party in Ireland. He had never been a party to any procession; he had never attended any political meeting either in Ireland or elsewhere, except for the purposes of his election. [Mr. *Sheil* said, "You have been at Exeter Hall, at the meeting for the education of the poor in Ireland."] He admitted such to be the fact; but that was a religious, and not a political meeting. As to these religious processions, he had always set his face against them. Still, with that settled opinion operating on his mind, he could not help denouncing this measure as a partial, unjust, and unnecessary measure. The right hon. Secretary for Ireland had told them—and not many days ago—that he would not call on the House to arm the government of Ireland with any extraordinary powers, and now he came forward with an extraordinary measure, and without having made out any case, to put down the Orange Societies; and yet, strange to say, the right hon. Secretary had not taken any steps to put down other processions, which were equally injurious to the public peace. He had received a letter from a member of a noble family, who was distinguished for the liberality of his opinions, giving him a description of the seditious proceedings of a large meeting, which had taken place at Dungarvan, in the county of Cork, on the 4th of June, and which, if he might trust to appearances, had not yet attracted, nor was likely to attract, the notice of Government. At that meeting, a Catholic priest, the Reverend Mr. Connell, of Dunhealy, near Castle Martyn, had used this language to the populace:—'They may send out the military, but 'don't be afraid of them, boys; for one half 'of them are Roman Catholics, and will 'bite the balls of their cartridges, or if they 'fire upon you, will fire clean over your 'heads. In future you must pay no tithes, 'no taxes, no absentee rents. Whenever 'a distress takes place, you have all of 'you to attend. You will not do anything. 'You are even to help to drive the cattle; 'but let me see, boys, who dare buy. You 'are to look on. You are to commit no 'breach of the law.' ["*Hear*," *from Mr. Ruthven.*] The hon. Gentleman was welcome to his cheer, but would he cheer what came next? 'But if one beast is sold, 'then you know, boys, what you are to do.' He believed that the hon. Gentleman knew enough of Ireland, to know what construction the hearers of this tirade would put upon it. At the same time, 40,000 persons were assembled for the same object at Carlow; and a Catholic Priest there also told them, that they were not to be guilty of any violation of the law—a piece of advice which was too often given for the purpose of producing quite the contrary effect. But what said this priest afterwards? "We are come to take vengeance on our oppressors;" and then he described the Clergy of the Church of Ireland as individuals who would as readily imbrue their hands in the blood of the people as they would in the blood of wolves. This multitude, thus cautiously advised not to commit any breach of the peace, went from the place of their meeting to Dr. Doyle's house, and Dr. Doyle bestowed his blessing upon them. He had received a letter from a relation of his own, informing him, that on that same night, fifty-three bonfires were lighted in the district, and cast a funereal blaze over a country extending for twenty miles, through which the telegraphic communication, of which the priest of the parish boasted, had been kept up during the day: and yet, with a country in this frightful condition—all ordinary intercourse interrupted—the functions of the law suspended—the whole frame-work of society unhinged—the right hon. Secretary for Ireland was not ashamed to come forward with this puerile and paltry legislation. He spoke of it the other night as a measure of general application; but then, the hon. and learned member for Kerry threatened him; and now he confessed the truth—that it was intended alone to suppress the exhibition of Protestant feeling; and by avowing that it was aimed at what he termed meetings of a religious character; that was, according to his reading, Protestant Assemblies, he implicitly sanctioned the insurrectionary political movements of the Roman Catholics and their priesthood, which were convulsing the greater part of Ireland. Did the right hon. Gentleman, while his hidden object was, to purchase the hollow and adventitious support of the agitators and habitual opposers of all order, think, that by such a course as this, he could raise a little dust wilfully to blind himself, and, at the same time, to conceal from others the real dangers which threatened that unhappy country? Did he think that, while he permitted the actual delinquents to go unpunished, he could expect those whom he knew were the best and only support of any settled government or established law in Ireland, patiently to submit to the galling injustice with which he treated them? His most anxious desire was, to put an end to all party feeling; but the right hon. Gentleman was adopting the means, of all others, best calculated to exasperate party spirit, and perpetuate religious animosity. He would carefully guard himself against being considered to defend or to justify party processions; but he could not, under the present circumstances of Ireland, too strongly or indignantly avow his opposition to a measure of such flagrant injustice, gross partiality, and insulting mockery, as that proposed by the right hon. Gentleman.

Mr. *Maurice O'Connell* thought, that the existing law was sufficient to put down all illegal meetings, but, at the same time, he was desirous to see the Bill. He would support it if it were proved that the present law was not sufficient, but, till that were proved, he certainly should not support it.

Sir *Robert Peel* was in a similar situation as other hon. Members with regard to this Bill; for, from the explanation given by the right hon. Gentleman, he was at a loss even to guess at the exact nature of the processions which the right hon. Gentleman wished to put down, and, therefore, he should like to see the Bill before he pledged himself to its support. He certainly thought that there would be no compromise of opinion in allowing the measure to be introduced; and he would, therefore, suggest, that it would be inexpedient to divide the House. The measure, he thought, was desirable, for he was opposed to party processions, as they were only calculated to lead to disturbances. He was aware of the injurious effects produced by those processions on the minds of both Protestants and Catholics in Ireland; and he certainly thought that it was peculiarly the interest of the Protestants to avoid processions calculated to irritate the great body of their countrymen. To celebrate the battle of the Boyne, and the birth-day of King William, would have little effect in this country; but the battle of the Boyne was commemorated in Ireland with the view of celebrating the defeat of the Roman Catholics. There could be no other object in view: he, therefore, most anxiously wished that this source of irritation should be put an end to. It was, however, more desirable that party processions should be put a stop to, by the exercise of such influence as his hon. friend, the member for Sligo, had exerted, than by legislative enactments; but if the latter should be found necessary for the attainment of so desirable an object, he should not be prepared to oppose a measure for that purpose. He had always felt that it was a most dangerous subject to legislate on; and he did not see how the right hon. Gentleman was to steer clear of all the evils with which he was surrounded; but, at any rate, the utmost caution must be used. They should strive to get rid of the *animus*, for, as long as that remained, it would be impossible to put a stop to acts which would excite irritation. It was very easy to say, that no party processions should take place on the 12th of July, but it was so easy to have the celebrations on other days, that little or nothing would be gained by preventing them being held on the 17th of March or the 12th of July. The right hon. Gentleman, however, had other difficulties to deal with; he had to define what party processions were; we can tell well enough, in common parlance, what is the meaning of those words, but it would be extremely difficult to point out the meaning in an Act of Parliament. If the right hon. Gentleman, too, wished to interdict the party processions of the Protestants, how could he avoid putting a stop to those demonstrations of physical force; the object of which was not, perhaps, to oppose by force, but to intimidate and to prevent the administration of the law of the land. The state of Ireland was such as to call for legislative interference. When bodies of men to the number of 20,000 or 30,000, headed by priests, were moving about the country for the purpose of preventing the collection of tithes, an illegal object, it was right to interdict them by law, as well as these processions. In either case the object of the law would be, to prevent the violation of the public peace. If it was desirable to put down the Protestant processions, he did not see on what ground these demonstrations of physical force could be defended, which were brought forward to prevent the administration of the law, and which placed in danger the persons and property of the loyal subjects of the King. He certainly could not imagine how the rights or the liberties of the subject could be violated by putting a stop to these assemblies. He did not see how the right hon. Gentleman could interdict party processions, unless he also put a stop to these large congregations of persons which tended to breaches of the public peace and the violation of the law. He was friendly to the object of the right hon. Gentleman, in so far as the right hon. Gentleman could show that the exercise of influence was not sufficient to prevent these processions. If influence would not prevail, he would not oppose a legislative interference, if it could be shown that it would be effectual; but it would not be effectual unless a stop was put to the assemblies he had alluded to.

Mr. *Sheil* said, there was a manifest distinction between these processions and the large public assemblies to which allusion had been made. The processions about to be held were for the purpose of celebrating the triumph of one party over the other; and they hardly ever took place without bloodshed; but he believed there was not a single instance of blood having been shed at these large assemblages of the people, which did not meet to violate the law, but only to offer a passive resistance to it. Blood had repeatedly been shed in the Orange processions; and he had repeatedly heard them denounced by the Judges from the judgment-seat as the cause of the greatest evils, and always tending to breaches of the peace. The right hon. Baronet said, that other meetings must be prevented; but what were they? Did they ever lead to bloodshed—were the persons who attended them guilty of breaches of the peace or violations of the law? The one class of meetings were held for the purpose of triumphing over, and insulting the feelings of, the great body of the people; while the other class was of entirely a distinct character. At the processions the people attended armed—this led to attack on one side, and defence on the other, and both were actuated by the worst party feeling. Both were guilty; but it was the duty of Government to prevent these meetings being held when such scenes occurred. The right hon. Gentleman had alluded to the assertion, that mobs of 20,000 or 30,000 persons were led about the country, headed by priests, and that they were addressed in the most violent and inflammatory language. But what were the facts that the right hon. Gentleman had to depend upon in support of his assertion? Certainly, the hon. and learned Recorder had read a letter to show that this was the case, and he had even gone the length of naming a priest who used language of the most inflammatory nature. He had not, however, stated the name of the writer of the letter. And were these, then, facts that could be proved in a Court of Justice? Let the hon. and learned Gentleman prove that what he stated was fact, even before the Committee now sitting on the state of Ireland. He called upon the hon. and learned Member to do so; and he challenged him to produce the letter-writer as an attesting witness on the state of Ireland, and to prove the assertions which he had made. He was sure that there was no man with the feelings of a citizen, nay, more, with the feelings of a Christian, who would not concur in an expression of utter detestation at the sentiments given in the letter, as having been uttered at a public meeting; but if there should be found a Christian priest who had uttered such language, the single exception of such a person would not justify an Act of Parliament, nor should a case of individual impropriety form the basis of legislative enactment. With respect to the present measure, he was content to have it laid on the Table, with a view to examine its provisions. He was satisfied that its object was good, for it was to destroy that unhappy religious animosity which prevailed to such an extent in Ireland, and to prevent the one party embruing their hands in the blood of the other. He could not pledge himself, however, to the details of the Bill till he saw it before him.

Mr. *Anthony Lefroy* admitted that there was a difference between the Orange and the Anti-tithe meetings, but thought the latter were infinitely the worst. He thought it likely that the powers proposed to be given to Government by the Bill would be tyrannically applied in some instances, and, therefore, he would vote against its introduction if a division should take place.

Mr. *Crampton* said, the object of his right hon. friend was, simply to put down those party processions, which had been productive of so much mischief in Ireland, and the only feasible objection that had been made, or could be made to the Bill was, that it did not go far enough. The only wish of the Government was, to prevent bloodshed and riot, and as to anti-tithe meetings, he believed they would not be heard of after the Government measures had been carried into execution. There was no difficulty, as the hon. member for Clare said, in bringing the guilty to justice under the law at present, after they were apprehended, but there was some difficulty in apprehending them, while there was no means of preventing their crime, which this Bill was intended to supply.

Mr. *Henry Grattan* lamented that Gentlemen should, on this occasion, as on so many others, have attacked the Catholic clergy, who, he did not believe, ever countenanced illegal proceedings, much less excited their flocks to take vengeance. With respect to the proposed measure, he was of opinion that the processions should, at all hazards, be suppressed, and he, therefore, would support the Motion.

Leave given, and the Bill ordered to be brought in.

HOUSE OF LORDS,

Friday, June 15, 1832.

MINUTES.] Papers ordered. On the Motion of the Duke of BUCCLEUGH, of the Number of Writs of Subpœna issued during the last ten years by the Court of Exchequer (Scotland), &c.

Bills. Read a third time:—Army Prize Money; Regent's Park Act Amendment.—Read a second time:—King's County Assizes.

Petitions presented. By the Earl of WICKLOW, from Tullamore and Frankford, in favour of the King's County Assizes Bill.—By the Earl of MINTO, from the Royal College of Surgeons, Edinburgh, in favour of the Anatomy Bill.—By the Earl of FINGALL, from Garrocloyne;—by the Earl of RADNOR, from three Places in Ireland; and by Lord KING, from White Church, and other Places,—for the Abolition of Tithes.—By Lord KING, from the Northern Political Union, for a better Appropriation of the Revenues of the Bishoprick of Durham; and from the Rate-payers of Cheshire, against certain Grievances existing in that country.—By the Duke of DEVONSHIRE, from Dungarvon, for continuing the Franchise to the 5*l.* Householders.—By the Marquess of CLANRICARDE, from Parishes in Dublin and Westminster, in favour of the Ministerial Plan of Education (Ireland).—By the Earl of RODEN, from ten Places, and seven Orange Lodges, against that Plan; and from Oxford, for a Revision of the Criminal Code.

POLITICAL UNIONS.] The Marquess of *Londonderry* said, that seeing the noble Earl at the head of his Majesty's Government in his place, he would take the liberty of trespassing for a few moments on the House, while he asked that noble Earl a question relative to a meeting, which had been lately held, of a Political Union at the town of Sunderland, in the north of England. In the first place, he repeated the expression of the deep regret with which he heard the noble Earl, at the conclusion of which a speech he made when the subject of Political Unions was before the House, declare that it was not his intention to interfere with those bodies, conceiving that the good sense of the people of England would put an end to them after the Reform Bill was passed, and the excitement which had called them into action had subsided. He was sorry that the noble Earl had made any such declaration, and he was sure that if he had narrowly followed the conduct of those political bodies, since the Reform Bill was passed into a law, he would find good grounds for changing his opinion; and he was convinced if, in particular, he looked at the nature of the language held at the meeting to which he was about to refer, the noble

Earl would feel the responsible situation in which he was placed, and see the necessity of reconsidering his determination. At that meeting various speeches were made, all of a violent nature; but the Mr. Larkins who spoke on the former occasion, and who was described to him as a friend of Dr. Headlam, delivered a speech more inflammatory than the rest. He would not occupy the House by reading extracts at any length from those speeches, but merely state one or two passages from that of Mr. Larkins. In one place that person said "that Earl Grey was but a weak instrument in the hands of the people, and without the Political Unions he would be nothing." But the thing did not rest there; for the Political Unions, not content with their meetings and inflammatory harangues, circulated cheap publications, and he held in his hand a copy of one which was circulated, according to the account of a very respectable informant, to a not less extent than 150,000. It was entitled "*The People's Charter, with an introduction relative to the King's conduct.*" The first part was so libellous that he would not waste the time of their Lordships in repeating it; but, what he wanted to point out was, that the latter part was neither more nor less than a copy of instructions to the people of England with respect to their conduct at the approaching general elections. He was sure that one of the consequences of these Political Unions would be, that whenever an election did take place, or in whatever part of the country, it would be ruled at their dictation. The publication he referred to had this passage. 'The people must remember that the 'battle of freedom is but begun; and that 'its next, its grand, its sacred objects, are '—a free Press, Universal Suffrage, Vote 'by Ballot, and Annual Parliaments. They 'must remember that the best means of 'obtaining these is to enrol themselves in 'Political Unions, to call incessant public 'meetings, and widely diffuse such works 'as the present. They must remember, 'that if they exact not pledges in favour 'of these four great objects, from parliamentary candidates, then slavery is 'sanctioned by their own consent. They 'must remember that, to refuse to pay 'taxes is the best mode of hastening every 'opposed Reform; and, on the contrary, 'that to pay these is to purchase a precisely 'corresponding duration of oppression. 'The time will soon arrive when they will 'have an opportunity of following the excellent advice of Sir James Mackintosh, '"to tolerate nothing ancient that reason 'does not sanction, and to shrink from no 'novelty to which reason may conduct."' Even the favoured town of Gateshead had a Political Union, which had already gone the length of starting a candidate, and that Union called on the people to vote for no man who was not pledged to dissolve what they called the sacrilegious union between Church and State—to do away with septennial Parliaments—to abolish the Corn laws, and to act as a delegate for the people. Now, he submitted those things to the calm consideration of the noble Earl, and he appealed to his good sense and experience to determine whether, in the event of a general election, the country would not be so convulsed under this dictation as to render the idea of a free election of Representatives utterly impossible. When he reflected on this subject he naturally turned to the almost parallel case of 1799, and he found that at that period Mr. Pitt was seriously impressed with the necessity of putting an end to the similar societies which existed at that period. Mr. Pitt's propositions were these:—'I therefore submit, that whoever shall continue to be a member of 'such Societies, after a certain day to be 'named, shall have a small fine inflicted 'on him upon conviction before a Magistrate. There must, however, be degrees 'of guilt in the cases of individuals; I 'therefore wish to give an option with respect to the recovery of the penalty, or 'to proceed against the offender in a Court 'of Record, leaving it to the discretion of 'the Court to punish him by fine, imprisonment, or by transportation.' * * * 'But as it is impossible to guard against 'all the various shapes and forms which 'treason may assume, it will be necessary 'to define those Societies, the members of 'which are to be subjected to the proceedings now proposed to be instituted 'against them. I will therefore observe, 'that their peculiar characteristics are 'contrary to every engagement prescribed 'by the Constitution, by morality and 'religion.' * * * 'But, this is not sufficient; and it will be found requisite to 'accompany this measure by provisions 'against the owners of public and private 'houses who shall harbour such Societies.' * * * 'The second object will be, to prevent the existence of other Societies 'which are evidently calculated to corrupt 'the morals and vitiate the understanding 'of the community,—I mean Debating 'Societies, in which questions are agitated 'little suited to the capacity of the audience, and which operate to loosen the 'foundations of morality, religion, and 'social happiness. In a former Session 'measures were adopted to prevent the 'delivery of political lectures, but attempts 'have been made to elude them by delivering historical lectures, which by misrepresentation, and the force of erroneous 'inference, are rendered equally dangerous. With this view of the subject, 'I trust there can be no objection to 'extend the proposed provisions to all 'societies where money is taken for admission; and that none shall be held unless 'licensed by a Magistrate, and liable to his 'inspection.' * Mr. Pitt then moved for leave to bring in a bill to suppress Societies established for seditious and treasonable purposes. He really thought that some law like this might safely be enacted at present, or that, at any rate, effectual measures should be taken to suppress the Unions; and his object in rising was, to ask the noble Earl, whether he meant to put the common law in force against those Societies, and whether, in case the common law was not sufficient, he should be prepared to adopt some more efficacious means of putting an end to Political Unions?

Earl *Grey* said, that he was afraid that what he had to offer in reply to the noble Marquess would not be satisfactory to him, as the noble Lord had commenced his observations with expressing his dissatisfaction with the remarks which he (Earl Grey) made, on a late occasion, with reference to the bodies called Political Unions. If he remembered correctly what had then fallen from him, he allowed that these Societies, were inconsistent with the well-being and good government of the country in ordinary times, but he had stated, that as they were called into existence by the particular circumstances of the day, and were but the creatures of its excitement, he thought it more prudent not to act with hasty severity against them, and that it was more wise to wait for the good sense of the people of England to put them down, than to have recourse to new laws, which might not be in exact accordance with the principles of the British Constitution, and which experience had shown were not always competent to accomplish the objects for which they were intended. The noble Marquess had referred to a speech of Mr. Pitt's, but even there he would see that the example of that great statesman would not be in his favour. He would find that few of the laws which Mr. Pitt proposed to enact in that speech were ever carried into effect, and he would also find, that but little good resulted from those that had been carried into operation. He hoped it was not necessary for him to disclaim any participation in the sentiments which the noble Marquess had quoted on this and on a former occasion. In the instance referred to he had expressed not only his dislike, but his abhorrence and disgust at such language and opinions, and he still felt as strongly as ever on the subject. But with regard to the meeting at Gateshead, to which the noble Marquess now referred, he had seen no account of the proceedings, and he had as little to do with the speech of Mr. Larkins as he had with that person's violent speech at Newcastle. When the noble Marquess said that he (Earl Grey) was a friend of Dr. Headlam, the House should know that Dr. Headlam was not a gentleman to countenance such language, as there was no more respectable or loyal character in society, and it was not fair to hold him responsible for sentiments which were foreign to his nature. With regard to the speeches of Mr. Larkins, he (Earl Grey) had no reason to mitigate the censure which he passed on them on a former occasion, and the very passage which the noble Marquess had read showed in what manner that person proposed to deal with him. He repeated, that no one could have heard such language without disgust, and he thought it was rather too much to hold Dr. Headlam, as chairman of a meeting, or the meeting itself, which was composed of most respectable persons, and where much good was effected, responsible for the words of such a person as Mr. Larkins. It was an unfair rule to make any number of persons responsible for what an individual amongst them might say, and even their Lordships generally would be sorry to be held accountable for the language or sentiments of every noble Member of the House. With respect to the Political Unions, he could only repeat, that he looked to the good sense of the people to put an end to them. If they transgressed the law, he hoped the law as it now stood would be sufficient to correct them. In answer to the question of the noble Marquess, asking whether he had not an intention of applying for a new law, he had only to reply, that he had not. He had no such intention, nor had he any instructions from his Majesty's Government to propose it.

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* Hansard's Parl. Hist. vol. xxxiv. p. 986-7.

COURT OF EXCHEQUER (SCOTLAND).] On the question that the Order of the Day be read for the House to resolve itself into a Committee on the Exchequer Court (Scotland) Bill,

The Duke of *Buccleugh* rose to remind their Lordships, that he had on a former occasion urged several objections to this measure, which he would not then repeat. He must, however, further object to the Bill, that there was no right of appeal given by the Bill from the decisions of the new Judge, which might be attended with a great deal of inconvenience. He could not help also adverting to the hurry with which the Bill was urged forward; as to which there were rumours out of doors which he would not mention. The evidence taken before the House of Commons did not at all bear out the arguments in favour of the Bill. He required, therefore, further evidence before he could give it his support. He was of opinion that the evidence already taken did not support the allegations in its preamble. He should, therefore, move as an amendment, that this Bill, instead of being committed, should be referred to a Select Committee, to inquire into the duties of the Court of Exchequer, to consider how far its duties could be performed by the Judges of the other Courts, and to report their opinions thereupon to the House.

The Earl of *Camperdown* thought, that the thanks of the country were due to his noble and learned friend on the Woolsack for bringing in this Bill. The Bill was not founded on economy merely, although that was not without importance, but was founded mainly on principle. It was of the last importance to preserve the respectability of our Courts of Justice, and nothing could be more incompatible with that object than the having sinecure Courts of Justice. This measure had not been adopted without adequate inquiry, for it had undergone considerable investigation and discussion both in this and the other House of Parliament, and the principle on which it proceeded had been fully acted on during the Administration of the noble Duke (the Duke of Wellington), when the Court of Admiralty and Commissary Court had been abolished as separate tribunals, and when two Judges had been taken from the Court of Session, and two Barons from this very Court, without any previous investigation; but still he thought that measure a very proper one. There was no precipitation in carrying forward this Bill, and the evidence taken before the Committee of the House of Commons, of which the Report was before their Lordships, was amply sufficient to justify it. A Judge of the Court of Session, from his legal habits, must be fully competent to do the duties of this Court; and he would have ample time, for the Judges of that Court had seven months' vacation. He might refer to the noble Duke (the Duke of Buccleugh), and the noble Earl (the Earl of Haddington) opposite, whether it was not a matter of notoriety in Scotland, that the business of this Court was merely nominal.

The Earl of *Haddington* had often heard it said in Scotland, that the business of the Court was merely nominal, and he had heard this as often denied. His own opinion was, that there was but little business; but that what business there was, required considerable legal knowledge and attention to do it well. This Bill had, indeed, passed this House last year without inquiry, but that was no reason why it should now pass without inquiry. No practical lawyer of the Scotch Court of Exchequer, nor any Judge of the Court of Session, had been examined, and the opinion of Sir Samuel Shepherd, the late Chief Baron, was adverse to the supposition that a Judge of the Court of Session was competent to do the business of the Court of Exchequer, and he had an experience of eleven years as Chief Baron, while the present Chief Baron had only had an experience of two years. Then, it was one of the Articles of Union that Scotland should have a Court of Exchequer, and, therefore, this Bill was an infringement of these Articles, which the measure of the noble Duke (the Duke of Wellington) was not, for it only regulated the Court, which was consistent with those Articles. The meaning was, that the Scotch should have the jurisdiction in their own country.

The Earl of *Roseberry* reminded noble Lords that this was not merely a measure of economy, but a measure of principle. As to the infringement of the Articles of Union, the measure of the noble Duke (the Duke of Wellington) had infringed them, by abolishing the Admiralty Court as a separate tribunal. It could not be supposed that a Judge of the Court of Session was not perfectly competent to do the duties of this Court, considering the legal habits which he must have acquired; and, in point of fact, these revenue cases were often perfectly well managed by the Justices, Commissioners of Supply, and the Excise Courts. It was too late in the Session now to refer the Bill to a Committee up-stairs, and it was totally unnecessary.

The Duke of *Wellington* admitted, that the inquiry, so far as it had gone, was in favour of the abolition of the Court; but it certainly was not to be forgotten that the late Chief Baron (Sir Samuel Shepherd) had maintained that the Court ought to be preserved. He was aware that the present Chief Baron held a contrary opinion; but then he presumed that the House would bear in mind, that the latter had had only two years experience, while the former enjoyed the advantage of eleven; he, therefore, considered the opinion of Sir Samuel Shepherd to be the more valuable of the two. Both, he was sure, were given with perfect sincerity, neither party having an interest one way or the other. He denied that there was any principle in the Bill, and his opinion decidedly was, that the Crown should not be deprived of the right of having its trials, whenever necessary, before its Court of Exchequer in Scotland because the Lord Chief Baron wished to retire on a pension. But whatever individual opinions noble Lords might entertain upon the subject, one thing at least was certain, that there ought to be a full, fair, and minute inquiry before the Court was abolished.

The *Lord Chancellor* would offer one or two remarks as to what had fallen from the noble Duke who had just sat down. He begged to state, that there was nothing peculiar in the Bill, as regarded the discretion of the members of the Court. I was only following up the principle of the noble Duke's own measure—that by which he had reduced the Barons of the Exchequer to two, which was salutary as far as it went. The principle of the Bill was, that the Court should be abolished, because it was wholly unnecessary for the discharge of the functions hitherto intrusted to it. The question then was, how this Court was to be put an end to, not only on the ground of its being expensive, but because also, that nothing could be more indecorous than having a Court of Judicature with sinecure Judges, having large salaries, without even the semblance of business. In order to effect the object in view, this Bill enacted that the Judges of the Exchequer Court, as they died off or resigned, should not be replaced by others; and it further made provision for a Court competent to do any business which might hereafter arise. It was, he conceived, far better to settle the matter by legislation, than leave it to the chance of a time arising when there should be none of that importunity, on the score of faithful services, to which every Government was subjected by its adherents. It had been observed that this Bill must await the pleasure of the Lord Chief Baron, for that it could not come into operation until he chose to retire. Now, if the Chief Baron should think proper to resign, upon the passing of this Bill, he (Lord Brougham) would look upon it as a strong proof of the irksomeness of the situation in which he found himself placed; for few things could be more irksome than receiving a large sum as a Judge, having no judicial business to transact. It certainly was not an enviable situation to be placed in—at least, speaking for himself, he should not think it so. With respect to the opinion of Sir Samuel Shepherd, he was not inclined to attach a great deal of weight to it, for he remembered that he had formerly given a strong opinion against reducing the number of the Barons of the Exchequer at all; and this at a time when the number of cases in the Exchequer was so small, that they amounted in one year only to seven, and in the following year to three, making an average of five cases in the year. Now, there were five Barons of the Exchequer, with an average of five undefended cases a-year, or one to each, and yet Sir Samuel Shepherd thought it impossible that the number could be reduced. It was then in contemplation to reduce the number by one only; but even that one he could not spare. Now, when it was proposed to abolish the Court, on the ground of its having no business to transact, only two cases having come before it in the last year, the learned Judge thinks that there should still be retained two Judges, thus keeping up his former average of a Judge to each cause. As to the allegation that the Bill was hurried through Parliament, he had only to observe, that nearly a year had elapsed since it was first introduced, when it was discussed in that House, and afterwards more fully discussed in the House of Commons. Not being then passed into a law, a Committee had been appointed to inquire into the subject, and before that Committee it had been proved, that the little business formerly before the Court had been of late gradually becoming less. He was satisfied that the measure was most expedient.

The question was then put, and the Amendment negatived without a division; after which, the Bill went through a Committee, and was reported without Amendment.

HOUSE OF COMMONS,

Friday, June 15, 1832.

MINUTES.] Papers ordered. On the Motion of Mr. PEACH, an Account of all Sums paid into the Stamp Office for Duty on Insurance from Fire, in London and the Country, for the quarters ending severally on 25th March, 24th June, 29th September, and 25th December, 1831; distinguishing the Amount of the Allowance made to each Office for collecting the same, severally, of 4*l.* and 5*l.* per cent, and by what Offices or Persons such Sums have been paid, together with the Dates of such Payments.

New Writs issued. On the Motion of Mr. SPRING RICE, for Knaresborough, in the room of the Right Hon. Sir JAMES MACKINTOSH, deceased.

Bills. Read a first time:—Party Processions (Ireland); Bribery at Elections; Limitation of Actions.—Read a third time:—Fines and Recoveries; Courtesy of England, Inheritance.

Petitions presented. By Lord OXMANTOWN, from the High Sheriff of King's County, for Re-enacting the Insurrection Act.—By Sir HENRY BUNBURY, from Bury St. Edmund's;—by Lord OXMANTOWN, from four Parishes in Ireland; and by Mr. WYSE, from Clogher,—for a Revision of the Criminal Code.—By Mr. WYSE, from Galway, for Equalizing Civil Rights in that County; from Tipperary, Clonmel, and Rossmore, for an efficient Reform for Ireland; and from three Parishes in Ireland, against Tithes.—By Lord MORPETH, from Knaresborough, to substitute that Place for Ripley as one of the Polling Places for the West Riding.—By Mr. KENNEDY, from Ayr,—for Stopping the Supplies; from Kilmarnock, against any alteration of the Boroughs in Schedule E of the Scotch Reform Bill; and from Inverary, Ayr, and Irvine,—for Alterations in the Scotch Reform Bill.—By Sir GEORGE CLERK, from Dalkeith,—against the Ministerial Plan of Education (Ireland).

CONDUCT OF POLICE MAGISTRATES.] Mr. *O'Connell:* I rise for the purpose of calling the attention of the House to the case of a female of the name of Catherine Murphy, as it appears reported in a morning paper of last Monday, and of requesting that explanation from the Under Secretary for the Home Department for which I gave him notice that it was my intention to ask this evening. The following is the statement, as it appears in the newspaper:—'Catherine Murphy, a young woman of decent appearance, was charged with having exposed for sale a quantity of nuts, and assaulted policeman John Archer, 150 G, in the execution of his duty. The policeman deposed, that about twelve o'clock in the morning he was on duty in Hatton Garden, when he saw the defendant with a basket of nuts exposed for sale. She ran into the city, and prevented him at that time from taking her into custody. In about half an hour afterwards he was in that quarter again, and succeeded in laying hands on her; upon which she threw down the basket, caused a mob to assemble, and finally struck him more than a dozen times on the face.

'Defendant: I own that I was selling nuts, and the policeman tried to take them from me; which, very naturally, I endeavoured to prevent. I solemnly declare I never struck him; I have a sick husband and four children to support, and if I am debarred from selling a few oranges or nuts, we must starve.

'Mr. Laing: You have no business to block up the streets with your basket, and the policeman has acted very right in bringing you here!

'Defendant: then is it a crime to endeavour to support my family honestly?

'Mr. Rogers: Your nuts are forfeited to the parish.

'Mr. Laing: That is not a punishment sufficient! I shall fine her for the assault.

'Mr. Mallett, the chief clerk, here said: The poor creature is very near her time of lying-in; she appears, too, in a distressed condition.

'Mr. Laing: That is no reason why she should offend against the law.

'Mr. Rogers, to the prisoner: In addition to the forfeiture of your nuts, you are fined *5s.*

'Defendant: I cannot pay *5d.*

'Mr. Laing: Then you'll go to prison for seven days.

'A gentleman here stepped forward, and said, that he thought the poor woman ought not to be punished. If she had committed an offence she received quite sufficient punishment from the hands of the policeman.

'Mr. Laing: Who are you, Sir?

'Answer: I am a law stationer; my

‘ name is Lewin, and I reside at Somers’ ‘ Town.

‘ Mr. Laing: Indeed! and you think ‘ she has been punished enough do you?

‘ Mr. Lewin: I do, Sir: I witnessed ‘ the whole transaction. Instead of the ‘ policeman desiring her to go away, ‘ which I consider he ought to have done ‘ in the first instance, he laid hold of her ‘ basket, threw her down, and then upset ‘ all her nuts, by which a gallon at least ‘ were lost. I assure you, Sir, the woman has been very much ill-treated— ‘ she never attempted to strike the policeman.

‘ Mr. Laing: I strongly suspect that ‘ you are one of those persons who take ‘ upon themselves to dictate and interfere ‘ with the policemen, and rescue their prisoners. Whatever you have said will not ‘ do any service to the defendant, so you ‘ had better hold your tongue and leave ‘ the office.

‘ The woman was locked up in default ‘ of paying the *5s.*’

Now, Sir, though I admit that the woman was committing an illegal act, I do mean to say, that if this statement is correct, no Magistrate ought to be allowed to adopt such a course as this, or indulge in such remarks, without meeting with due reprehension. I shall not, however, indulge in any further observations, until I hear what explanation the hon. Gentleman opposite has to give of the transaction.

Mr. *Lamb:* In the first place, I have to regret that the hon. and learned Gentleman should have quoted this case from the newspaper, which I believe to be very much exaggerated, as is indeed too often the case with many of the daily journals. It is not, however, my wish to dilate upon this part of the subject; and I shall, therefore, chiefly confine myself to a repetition of the plain narrative of the case, as it has been explained to me. In the first place, it is necessary to state, that the police near Hatton Garden is in a peculiar situation; for it happens just to form the boundary between the City and Westminster. In consequence, therefore, of the ease with which they can pass from one jurisdiction to the other, this place has become a favourite place of resort for the basket-women, who station themselves in the streets for the purpose of selling their fruit—a practice which is against the law, though I am ready to admit that it is a sort of law which ought not to be enforced too rigidly. The new police have frequently had occasion to remonstrate with the city police for not co-operating with them in their endeavours to clear the streets of these women; and I may also state, that Mr. Laing and Mr. Rogers, the Magistrates at Hatton Garden, have immediately discharged all of those cases that have ever been brought before them, and have indeed stated, that unless a complaint was made by the inhabitants, they would not interfere. The nuisance, however, has subsequently reached such a height, that the police have been directed to clear the streets of these women. On the day of this transaction, it happened that this woman, with many others, was selling nuts; twice she was sent away by the policeman; and on his returning a third time within the hour, he again found her pursuing the same occupation. Now, Mr. Lewin remonstrated at the office that the policeman ought to have told the woman to go away before he took her into custody; but I think that I have, by stating this fact, sufficiently answered that observation. When the woman was told a third time to go, she began to abuse the policeman, and finally flung herself on the pavement, and struck him several smart blows. On this, the man thought that he was fully entitled to take her to the police-office for the assault. And here let me remark, that the report in the newspapers has omitted one most important fact—which is this, that a very respectable mechanic attended at the office, and voluntarily deposed, that the assault had been committed by the woman, as described by the policeman. The Magistrate, on this, felt that it was necessary to protect the policeman in the discharge of his duty; and it was not till the woman had been convicted that Mr. Lewin stepped forward, and expressed his opinion that she had been punished enough. I am also given to understand, that the Magistrate did not say all that was atttibuted to him by the newspaper; it is, however, admitted, that he did express an opinion that Mr. Lewin was one of those who went about to the police-offices, dictating to the Magistrates—an expression which, I have no hesitation in saying, I would much rather had not been used. The woman, however, after having been adjudged to pay a fine of *5s.*, or suffer seven days' imprisonment, was sent for back, and the imprisonment was lessened to two days instead of seven; and she is now at liberty. Such, Sir, are the circumstances of the case; and I do not see that (with the exception I have already made) any impropriety has been committed by either policeman or Magistrate.

Mr. *O'Connell:* I trust that the caution that has been uttered by the hon. Gentleman will reach the ears of the Magistrate, and that it will prevent his making use in future of such language as that which he addressed to Mr. Lewin; and with this hope, and after the statement that has just been made to the House, I beg to say, that I do not think it necessary to press this question any further.

Sir *Edward Sugden* said, that the law was undoubtedly a harsh one, but the police were placed in a difficult situation, for they were liable to censure if they did not carry it into effect.

Mr. *Hunt* said, that if the report had been a correct one, the hon. member for Kerry would, probably, not have noticed the subject. It was a great benefit to the public to have fair reports of cases of this nature, but great blame attached to the newspapers when they admitted partial reports.

PARLIAMENTARY REFORM—BILL FOR SCOTLAND—COMMITTEE—FIFTH DAY.] Lord Althorp moved the Order of the Day for the House resolving itself into Committee on the Scotch Reform Bill.

Mr. *Pringle* moved, as an Amendment, "That the classification of the boroughs of Scotland be referred to a Select and Special Committee to report thereupon." Numberless anomalies were, in his opinion, evident in the present classification, and he thought the Ministers had not been at all successful in this part of their Bill. For example, the Dumfries district of boroughs included four boroughs in that county, and one in Galloway. Again, the Ayrshire district included two boroughs in Argyleshire, though it might be convenient to unite them to the new borough of Kilmarnock. The Argyleshire boroughs should be united with those of the Clyde district. He could point out similar anomalies in the other boroughs, but he thought he had said quite enough to justify his Motion. He was sure that a Select Committee would be able to correct many of these inequalities, though he would not press his Motion if it were opposed by his Majesty's Ministers.

Lord *Althorp* considered that the subject of the hon. Member's Motion would be sufficiently discussed in Committee on the Bill, and he, therefore, should not support it.

Motion negatived.

House went into Committee. The subject for discussion was schedule B, relating to the counties.

On the question of Perthshire,

Sir *George Murray* said, that he had some time since given notice of his intention, at this stage of the Bill, to move that "neither the county of Perth, nor the county of Argyle, be dismembered for the purpose of adding to the constituency of any other county or counties," but that now, as the county of Argyll was not affected by the provisions of the Bill in the way he had anticipated, he should confine his Motion and observations to the county of Perth alone, which was so affected. He complained of a principle being introduced into the Reform Bill for Scotland, which was not introduced into the English Bill. He alluded to the cutting off from one county to add to the constituency of other counties, as in the case of the county of Perth, which it was proposed by the Bill to dismember, for the purpose of adding a portion to the counties of Clackmannan and Kinross-shire. Had such a principle been introduced into the English Bill, and a proposition been made to add in this manner to the constituencies even of small counties, such as Radnorshire and Huntingdonshire, he felt convinced such a proposition would have been rejected by a large majority of this House. Why, therefore, should there be such an intermeddling with Perth? Heretofore, the constituencies of Clackmannan and Kinross had been thought sufficient to return one Member. In 1801, the population amounted to upwards of 17,000, and in 1831, it had reached the number of 23,000. It had gone on rapidly increasing; and, therefore, if in 1801 it was sufficiently important to return a Member, why add to it a portion of the population of Perthshire? Bute, which only contained a population of 14,151, was, by the Bill, to return alone one Member. One of the boasts in favour of the measure of Reform was, that it was to do away with anomalies; but, in this instance, instead of doing away with anomalies, it created one. All the legal and fiscal concerns of these disjoined parishes would still remain connected with Perthshire, but yet all their political influence was to be thrown into Clackmannan and Kinross. It was proposed to detach from every county every part that was disconnected with it, or which was wholly included in another county; that would be a very different matter; but there was no such pretence in this instance; neither of these principles had its application here. If the principle now applied exclusively to Perthshire, had been attempted with respect to any portion of Yorkshire, that county having the good fortune of including within it, by the Reform Bill, thirty-seven Members, the attempt would have been successfully resisted. Perthshire, however, had but one Representative, and, consequently, it had no means of resisting this act of injustice. But still he would not abandon all hopes that, by a clear explanation of the matter, he might yet be able to induce either the Government or the Committee to give up the objectionable part of the clause. If this principle of cutting off a detached part of a county were a correct one, why was it not applied in the case also of the county of Dumbarton—a portion of which was some miles distant from the body of the county? The following statement with regard to Dumbartonshire, was to be found in *Chalmers's Caledonia*:—'The parishes of Cumbernauld and 'Kirkintilloch lie detached six miles dis'tant from the south-east end of Dumbar'tonshire, between Lanarkshire on the 'south, and Stirlingshire on the north. 'This detached part of Dumbartonshire is 'nearly twelve miles long from west to 'east, and from four-and-a-half to two 'miles broad. These two parishes anciently 'belonged to Stirlingshire; but in the 'reign of Robert 1st, they were annexed 'to the county of Dumbarton.' It was also further added:—'The other ten 'parishes of the county of Dumbarton are 'in the presbytery of Dumbarton; but the 'parishes of Kirkintilloch and Cumber'nauld belong to the presbytery of Glas'gow.' Here, then, was a clear case of complete separation, if that were laid down as a principle to be generally applied. But in mentioning this case, he did not wish it to be supposed that he was advocating the propriety of dismembering a county already small; but he was endeavouring to point out the injustice of having one principle for Perth and another for Dumbarton. It had been said by some that this arrangement had been made with a view to the convenience of particular families. He, himself, could not speak positively on this subject, but he was able to state that such was the general impression. Neither did he intend to make any complaint on this account, for no families could be more highly respectable than the two that had been mentioned. The one was the family of the gallant Admiral whom he saw opposite—a family not less remarkable by the merits of its individual members, than distinguished by its numerous and highly respectable connexions; and the other was the family of Lord Abercromby, with which he had been united all his life by ties of the most intimate friendship. Indeed, if he were to mention the name of the man, out of his own family, for whose memory he entertained the most sincere and unalterable respect, he should name Sir Ralph Abercromby—for it had been his (Sir George Murray's) good fortune in early life to be closely connected by his professional pursuits with that eminent man; and from the very commencement of his own military service, up to the moment when that great man closed his useful and honourable career in the arms of victory on the plains of Alexandria, there had been no instant in which he could have felt the slightest abatement of that attachment, respect, and esteem, to which Sir Ralph Abercromby had been so justly entitled, both as an officer and a man. He trusted the House would see, therefore, that he had no personal motives for the remarks he had made. But, to show that there was no plausible ground for taking away a portion of the inhabitants of Perth, to add to the population of Clackmannan and Kinross, he might cite many instances in which a population, little larger than the joint population of those two counties, returned a greater number of Members. Merioneth, for instance, with a population of 35,609, returned two Members; Radnor, with a population of 24,651, returned two Members; Rutland, with a population of 19,000, returned two Members; the Isle of Wight, with a population of 35,431, also two, or rather three Members, under the new Bill; that was to say, one for the island, and one, if not two, for a borough; and yet here were Clackmannan and Kinross, with a rapidly-increasing population of 23,800, not thought sufficient to return one Member, without taking in a portion of the county of Perth. But there was also another argument which he wished to mention, as applying to this case. In granting additional Representation to the counties in England, reference had been had to the population of those counties—counties containing 150,000 inhabitants got four Members, and counties containing 100,000 inhabitants, three Members; therefore he was not able to regard this as a final measure, and as hereafter this same principle of population might be resorted to, it was doing Perthshire a great injustice to take away a portion of its population. Perth at present contained 142,000 inhabitants; and to take away 8,000 of those inhabitants, might possibly diminish its future claim to a second Representative. He had a right to insist upon this argument, for whoever looked into the details of these Reform Bills, must feel that it was quite impossible that two out of the three parts of the United Kingdom, were to sit down and quietly submit to so small a share in the Representation as was now allotted to them. He, therefore, insisted that this ground of argument was of itself sufficient to expose the injustice of diminishing the population of Perthshire. Besides, it was throwing a sort of stigma on that county, to make it the solitary instance of this most objectionable principle; and, therefore, unless some very strong reasons could be given for the introduction of this new principle, he trusted that he had made out a case against it which the noble Lord would not be inclined to resist.

Lord *Althorp* observed that the objections which were raised towards this separation of part of the county of Perth, and addition of it to Clackmannan and Kinross, might probably be allayed in Perthshire, from a consideration that the remaining votes would be considerably increased in influence in consequence of their number being lessened. Moreover, the districts separated were divided from the rest of Perthshire by a ridge of hills, and seemed naturally not to belong to it. The inhabitants, too, had petitioned for the separation.

Sir *George Clerk* did not think that the noble Lord had stated sufficient grounds to justify the disruption of Perthshire for the purpose of adding to the constituency of another county. It was impossible for the noble Lord to do away with the feelings of attachment and union which the inhabitants of the part separated must always feel towards their original county, and equally impossible to give them a new turn towards the county to which they were thus forcibly appended. He believed that the proposed separation would give rise to great confusion, and that it would be much better to adopt the proposition of his right hon. friend.

The *Lord Advocate* said, that the counties of Clackmannan and Kinross having been consolidated for the purpose of Representation under the Reform Bill, it was found that there was a part of Perthshire, lying in the intervening parts between the two counties to be united which prevented their perfect geographical consolidation; in order to remove this physical obstacle, it was proposed to separate that part of Perthshire which intervened between the two other counties, and to add it to them. To do that was not only justifiable, but it would be found beneficial to all concerned that this arrangement should be persevered in.

Sir *William Rae* condemned the projected dismemberment of this or any other county for the purpose of creating facilities in the way of returning Members under the Scotch Reform Bill. The parishes thus cut off by this mode must suffer very materially in the scale of Representation.

Admiral *Adam* hoped a Bill would, ere long, pass Parliament for permanently consolidating those portions of counties, detached thus for election objects from their proper county, with that county of which they were to form a part. As to the influence of Lord Abercrombie, of which the right hon. Baronet was afraid, it was by no means increasing. The town of Alloa was extending, and in that the Earl of Mar had very considerable property and influence. He could not for one moment believe that the alteration was either intended to increase, or would increase the influence of Lord Abercrombie.

Sir *George Murray* said, he saw from this very alarming precedent about to be established, a strong probability that portions of many other counties in Scotland would be similarly dismembered from those counties for electioneering purposes. He deprecated the experiment about to be tried, as likely to produce great injustice to local districts, and concluded by pressing his amendment.

The Committee divided on the Amendment:—Ayes 24; Noes 54—Majority 30.

List of the NOES.

Adam, Admiral.
Agnew, Sir A.
Althorp, Viscount
Barham, J.
Bayntun, S. A.
Blackney, W
Blake, Sir F.
Clive, B.
Creevey, T.
Denman, Sir T.
Dixon, J.
Easthope, J.
Ferguson, R.
Fergusson, Sir R.
Fergusson, R. C.
Fox, C.
Gillon, W. D.
Graham, Rt. Hn. Sir J.
Haliburton, Hn. D. G.
Handley, W. F.
Heywood, B.
Hobhouse, Rt. Hon. Sir J. C.
Hunt, H.
James, W.
Jeffrey, Rt. Hon. F.
Johnstone, A.
Johnstone, J. H.
Johnson, J.
Kennedy, T. F.
Lawley, F.
Loch, J.
Lushington, S.
Macleod, R.
Mackenzie, A. S.
Nugent, Lord
Phillips, M.
Ponsonby, Hon. G.
Price, Sir R.
Ross, H.
Russell, Lord J.
Russell, F.
Sinclair, G.
Stanley, E.
Stewart, T.
Strutt, E.
Tavistock, Marquis of
Venables, Alderman
Vere, H.
Villiers, H.
Walker, C. A.
Wyse, T.

TELLER.

Ellice, E.

Upon the question that a Member should be given to Nairn and Elgin united,

Mr. *Duncan Davidson* said, in his opinion one Member should be given to each of those places; and he moved, therefore, that the word Nairn be left out.

Mr. *Stewart Mackenzie* said, that the population of Elgin was about four times as much as that of Nairn, and Elgin, therefore, would not be injured by the addition.

Sir *William Rae* thought Elgin was injured by the annexation of Nairn, as Ross was injured by adding Cromarty to it. The number of voters under the Bill in either Ross or Elgin was sufficient to entitle them to a Member. He thought that the change made by the Bill was uncalled for, and he should oppose it.

Lord *Althorp* said, it should be recollected that Ross and Cromarty were formerly united. Both Nairn and Elgin would, he believed, attain an importance by being united, which neither could possess by itself.

Sir *George Clerk* observed, that the principle adopted in this case was quite different from that acted upon in uniting some parishes of Perth to Kinross and Clackmannan. Every county in England, however small, had two Members, and the same principle ought to be extended to Scotland.

Sir *George Murray* thought the supporters of the Bill very inconsistent in their arguments: the Lord Advocate had, a few minutes before, described the subtraction of voters from Perth as a blessing to that county, and now the addition of voters was described as an advantage to Ross and Elgin. Mountains, rivers, and seas stood no more in their way, however, than principles, and Orkney was united to Shetland, though a tempestuous ocean was between them, as Nairn was united to Elgin, in defiance of ancient habits and local prejudices.

The *Lord Advocate* said, it was admitted that Ross could not be separated from Cromarty, and as it was impossible to give Nairn, with a population of 9,000, a Member by itself, there was no alternative except to unite it to Elgin.

The Committee divided on the Amendment:—Ayes 26; Noes 50—Majority 24.

Schedule agreed to; as was Schedule C.

On the question that Schedule D stand part of the Bill,

Mr. *Cutlar Fergusson* expressed a wish that Port Glasgow should have a share in the Representation. By the former Bill, Port Glasgow was united for the purposes of Representation with Greenock. He thought that the two places should be so united in the present Bill. The interests of Port Glasgow were great and important. He should, therefore, move that Greenock be omitted from Schedule D, with the view, if that motion were acceded to, of afterwards moving that it be combined with Port Glasgow, and placed in schedule E.

Sir *Michael Shaw Stewart* opposed the Amendment. The interests of the two towns were of a conflicting nature. In his opinion, they were each entitled to independent Representation.

Mr. *Dixon* opposed the Amendment. The interests of Port Glasgow were essentially represented in those of Glasgow. Greenock had a constituency of 1200 voters, and therefore required no addition.

Sir *Robert Peel* thought, that no place, according to the proceedings under the Reform Bill, had a better title to be united to another than Port Glasgow had to Greenock. The objections to their union were most inconsistent. It was said that Port Glasgow had a constituency of 178, or, at most, 211 voters, and was, therefore, not worthy of being represented; and it was also said, that Port Glasgow ought not to be joined with Greenock, because it would swamp that place, which had a constituency of 1,000; and, lastly, that Greenock had of itself a sufficient constituency to entitle it to separate Representation. But was this to be an argument with them who had added Toxteth Park to Liverpool?—who, when they found constituencies of 10,000 and 12,000, added to them others of 2,000 or 3,000? With respect to the jealousy and rivalry which was spoken of as existing between these places, that was the very reason why they should be united, for it would reconcile their differences. He could not conceive that two towns in the same county, at the farthest two or three miles from each other, could have feelings so irreconcileable as to make it impossible to join them in one constituency; yet one would think, to hear hon. Gentlemen talk of their conflicting interests, that they were composed of factions, as hostile as any which existed during the civil wars, or as ever France and England had been. But, admitting the fact, although he should still say it was impossible to legislate upon the assumption of such jealousies, what harm could Port Glasgow do to Greenock, when it would form barely a fourth part of the constituency common to the two? If Port Glasgow were identified in interest with Glasgow, perhaps it might be joined to that latter town, although Glasgow was twenty-five miles distant from Port Glasgow. There were three towns, two of them within a mile and a half of each other, and the other twenty-five miles off; but the House was to assume that there was such an hostility between the two first that they should not be joined together, but that one of them should be joined to the town which was twenty-five miles off. If the House were to abide by the principles on which Toxteth Park was united to Liverpool, and Folkestone joined to Hythe, on what principle could it be refused to join Port Glasgow to Greenock? He had heard it contended that Greenock had flourishing manufactures; but such was not the statement of the Commissioners. What they said was this,—Greenock cannot, at present, be considered a manufacturing town; but it is likely to become so, as great water power has been provided for driving machinery." Why not, then, include in the constituent body, the inhabitants of a great manufacturing place, not above a mile and a half distant? In spite of any little jealousies which might, perhaps, occasionally have arisen, two towns could not exist side by side in this manner, and have a separate interest. If the value of property were increased in Greenock, it must be accompanied by a corresponding increase of prosperity in Port Glasgow. But if there should be any paltry, narrow jealousies, arising from a desire in each to obtain exclusive commercial privileges, the House ought to show itself above them; and above all, endeavour to reconcile such unjust pretensions by uniting the two towns in the pursuit of one common right.

The *Lord Advocate* was of opinion that Port Glasgow should be left under the influence and protection of Glasgow, to which it belonged. The hon. Gentleman who seconded the Amendment looked only to the interest of Port Glasgow; but the first consideration of the Legislature ought to be the rights and interests of Greenock. They could not apply the analogy of the Representation of England to this measure; the whole scheme of which was bottomed upon a different principle; but they might fairly consider how Greenock stood as compared with other Scotch Towns, which were to have independent Members. There was Paisley; it was a little more populous than Greenock, but was greatly inferior to it in point of wealth; its assessed taxes not amounting to more than one-third of those of Greenock, and yet Paisley had an independent Member. There was Perth, again, having a population of nearly one-third less than that of Greenock; but, although proportionally wealthier than Paisley, Perth was inferior also to Greenock in respect of wealth. The question, then, was, whether it was fair to add to a place like this, a separate town having opposite interests? If it had not been proposed to do so with respect to Perth and Paisley—although the latter was surrounded with villages, which would furnish a larger constituency than Port Glasgow possessed—on what analogy with the scheme of Representation to be adopted for other parts of Scotland, (which was the true test to take) would they make this alteration? The junction of Port Glasgow with Greenock was defended on the ground that the former had two small a party to injure the latter, it not being denied, however, that it would injure it if it could; but as it could not, why should it be exposed to continual annoyance and hopeless contests, by thus joining it to Greenock? The constituency of Greenock entitled it to a Member for itself, and it ought to have one, unless it could be shown that a grievance would be thereby inflicted upon Port Glasgow, which, it must be remembered, never had enjoyed the elective franchise. The fact was, that Port Glasgow was a mere off-shoot from Glasgow, peopled by the agents of the merchants of that place, sent there for the convenience of the Port. Port Glasgow being, then, a kind of overflowing of Glasgow (which had already two Members), a kind of advanced piquet of that town, he could not imagine any place containing 5,000 inhabitants that would be less entitled to separate Representation. It was not disputed that these two places were rivals in trade; and almost every Session some contest took place between them. Considering the great influence Glasgow already possessed in Greenock, if it were to receive the further direct influence of the constituency of Port Glasgow, it would be, substantially, giving three Members to Glasgow. He admitted that this was not a case so free from doubt and difficulty as many others; but Ministers had upon the whole, adopted the best and fairest course which lay open to them. However desirable it might be to unite Port Glasgow to some other place, Greenock was certainly the very worst that could have been selected for the purpose.

Mr. *Keith Douglas* thought the learned Lord would do well to assent to the Amendment. Port Glasgow was only a mile from Greenock, and was a flourishing place.

Lord *Althorp* said, the objection to being united with Port Glasgow was so strong on the part of the inhabitants of Greenock, that it was thought better to avoid an attempt to bring together such clashing interests, and the combination was abandoned. If the places were united, the interests of Port Glasgow must be sunk in the preponderating and opposing influence of Greenock, to which the union would be most distasteful, at the same time that it could hardly prove beneficial to Port Glasgow. On these grounds, the idea of combining the two places, which had been united by the first Bill, had been abandoned.

Mr. *Horatio Ross* supported the Amendment. The towns lay close together, and he saw no reason for separating them in the Representation.

Mr. *Patrick Stewart* said, he should vote for the original resolution. He admitted the claims of Port Glasgow, but they ought not to be gratified at the expense of Greenock.

Lord *John Russell* thought Greenock entitled to one Member, and, that it ought not to be embarrassed, by being united to another place, especially as the combination would be unpalatable, and was not required in order to give a sufficient constituency. Perth, which had a population of 7,000 souls, had complained of being united to other boroughs, and had in consequence received a Member for itself, and that having been done for Perth, how could Greenock, with a population of 27,000 souls, being also a place of great commercial importance, be denied a Member? Port Glasgow was locally near Greenock, but in its interests and feelings, it was connected, not with Greenock but with Glasgow.

Sir *Robert Peel* should have supposed, till he heard the learned Lord's remark, that the principles of the English Reform Bill ought to have been carried as they were so excellent across the Tweed. He had, in the discussion on the English Bill, admitted the force of the argument, that they ought not to encourage separate interests by altogether separating the inhabitants of towns from the counties; yet now it was proposed to encourage separate interests. The noble Lord seemed to think that no other town as large as Greenock had been denied a separate Member; but had not the Ministers added Musselburg, which was six miles distant, to Leith, the electoral houses of which, were more numerous than those of Greenock? He could not believe that two neighbouring and prosperous places could entertain that irreconcileable hostility which was said to exist between Port Glasgow and Greenock, even if that were the case, he could not understand why they should be separated under a representative system which united Tothill Fields and Grosvenor Square in the same district. But, if the hostility was so great, he should say it was the duty of the House not to perpetuate it by drawing a broad line of distinction between them.

Lord *John Russell* would repeat that it was fair to do that for Greenock which had been done for Perth.

Mr. *Dixon* contended, that the commercial importance of Port Glasgow rendered it highly expedient that it should be separated from Greenock, and annexed to Dumbarton.

Mr. *Cutlar Fergusson* said, that the revenue collected from Port Glasgow amounted to 240,000*l.*, and he thought it was not right to leave such an important place without a Representative.

The Committee divided on the Amendment:—Ayes 47; Noes 73—Majority 26.

On the next question, relating to the Forfar district of boroughs,

Mr. *Robert A. Dundas*, moved that Stonehaven be added to the Inverbervie, Montrose, and Forfar district of boroughs. Stonehaven was the only manufacturing town in the agricultural county of Kincardine, and, unless it was added to the Forfar district, Kincardine would have no voice in the manufacturing Representation.

The *Lord Advocate* would resist the hon. Member's Motion, as he conceived that it was highly inexpedient that the voters in Kincardine should be exclusively agricultural, as they would be if the hon. Member's proposition was adopted.

The Committee divided on the Motion:—Ayes 42; Noes 62—Majority 20.

On the ninth district, including Renfrew, Rutherglen, Dumbarton, and Kilmarnock,

Sir *Michael Shaw Stewart* moved, that Kilmarnock be added to the Ayr district of burghs, and Inverary and Campbell Town transferred from the Ayr to the Dumbarton district. The hon. Member contended, that it was unjust to the smaller burghs to overwhelm them with the larger ones, and that the effect of this measure would be, to give three Members to the county of Ayr.

Lord *Althorp* observed, that it was fit that the large towns should have a larger influence in the elections. The smaller towns were entitled to a share in the Representation, and they had a share.

Mr. *Dixon* said, no difficulty would have been felt had Scotland received her proper share of Representatives.

Mr. *Kennedy*, being member for Ayr, had paid much attention to this subject, and was convinced that the present proposed arrangement was the best that could be devised. At present the Ayr district contained a population of 26,000, and that of Renfrew, 29,000; but, if the hon. Baronet's proposition were agreed to, the Ayr district would be increased to 38,000, and the Renfrew district reduced to 17,000.

Mr. *Patrick Stewart* said, Kilmarnock was treated most unjustly in being united with the Ayr boroughs. It was a thriving and important place.

Sir *George Murray* thought the original plan tended to concentrate political power in one spot, and he should support the Motion.

Mr. *Pringle* was of opinion, that the geographical position of Kilmarnock made it proper to unite it to Ayr. What had Campbell Town or Inverary to do with Ayr? The connexion by water, indeed, united them with Rutherglen, and, if it were meant that the present measure should be permanent, the anomaly of uniting them with Ayr ought to be done away.

Sir *George Clerk* supported the Motion, for it would be nearly impossible that the inhabitants of the small boroughs united with Kilmarnock could have the slightest influence over the elections.

Lord *George Bentinck* also supported the Motion, because he conceived that the interests of Kilmarnock and Ayr must be similar.

The Committee divided on the Motion:—Ayes 35; Noes 67—Majority 32.

An Amendment that "Port Glasgow be added to list No. 9, of schedule E," was agreed to. The remainder of the clauses, with some verbal amendments, agreed to. The preamble of the Bill also agreed to, and the House resumed.

CUSTOMS' DUTIES ACTS.] Mr. Poulett Thomson moved that the House resolve itself into a Committee of the whole House, to consider of the Customs' Duties Acts.

Mr. *Goulburn* objected to proceeding to the consideration of such an important subject at so very late an hour (past one o'clock).

Mr. *Poulett Thomson* said, that great inconveniences would arise from delaying the measure any longer.

House resolved itself into Committee.

Mr. *Poulett Thomson* said, that his reason for urging the House to enter into this Committee was, his desire to lay before it the new schedule of duties which he proposed to insert in the Customs' Bill, which he was about to introduce. The schedule he was about to propose for adoption contained only one article which yielded much to the revenue; and in the present state of that revenue, it was not in the power of the Government to give up much income. There was no article named in this schedule, however, on which it was not proposed to reduce the duty. The objects he had had in view in preparing it had been, first, to relieve from oppressive duties articles which largely entered into the manufactures of this country, such as dyes; secondly, to relieve from oppressive duties a number of articles consumed by the poor—medicines, drugs, and other articles of that description; which duties, in consequence of successive alterations in the Customs, had, without its being so intended, been raised to a scale extremely burthensome; and, thirdly, to classify articles which, being of a similar description, ought to be subject to the same rate of duties, but which had been hitherto classed under separate heads, and subjected to separate duties, to the great trouble of the officers, and the inconvenience of the trade. Oils, for instance, had been divided into twenty or thirty different denominations, bearing different duties, without any good reason for such distinctions. Such articles he had collected under one, or at most under two heads, and thus he had simplified the receipt of the duties, reduced their amount, afforded great convenience to trade, and diminished the price to the consumer. He wished further to reduce the duties upon some of those articles which came from the coast of Africa, and with which it was in the power of our merchants to carry on a very beneficial trade, if they could, by any returns, receive payment from the natives. Nothing could be more desirable than the extension of a trade in which all the articles we received were paid for in the manufactures of this country, and which was to be carried on with countries that held out greater prospects of a rapid increase of commerce than civilized nations. He had reason to believe that this schedule, with some trifling exceptions, had met with general approbation. He had stated, that there was one article of more than ordinary importance introduced into it; he meant hemp, from which the duty was entirely taken off. After deducting the drawback on cordage, and making other allowances, the abolition of this duty would occasion a loss to the revenue of about 60,000*l.*; and his noble friend, the Chancellor of the Exchequer, having consented to give that sum up, he did not think it could be devoted to a better purpose than this. The House had had the subject of the hemp duty before it more than once, and opportunities had occurred of exhibiting the extreme injury which many branches of the industry of this country sustained from the continuance of such a duty. It was impolitic as regarded our shipping, and unjust and contrary to all the principles on which we protected our own commerce, being a tax upon a raw material. He was aware that, in going into this Committee, a number of observations might be made upon the omissions of this schedule; he would willingly extend them further, but it must be recollected that he was limited to the sum which his noble friend thought he could give up. He would, without further remark, propose the schedule for the sanction of the Committee.

The schedule read.

Mr. *Courtenay* expressed his full concurrence in the principle of the schedule; but there were a few omissions in it, to which he begged to call the attention of the right hon. Gentleman; he meant omissions of articles, the reduction of the duty on which had been recommended by a Committee, of which he had the honour to be Chairman. Among these were cocoa, castor oil, and ginger; and he would still beg the right hon. Gentleman to turn his attention to them. Some of the reductions in this schedule were in respect of articles upon which protecting duties were imposed, such as oak bark, spelter, manganese, and others. He did not object to the reduction; but, perhaps, it was unnecessary; and certainly the right hon. Gentleman ought to call the attention of the Committee to them, in order that the Gentlemen interested in them might have an opportunity of considering the right hon. Gentleman's proposition. He had always been convinced of the expediency of making every possible reduction in the duties on those articles, and it was in the contemplation of the Board of Trade, when he had the honour of being connected with it, to bring forward a measure of this sort.

Mr. *Goulburn* said, it appeared that the amount of duty on these various articles was no less than 300,000*l.*; and he wished to know whether the noble Lord had taken into consideration the loss occasioned to the revenue by the change, and whether he was prepared for it?

Mr. *Poulett Thomson:* The amount of revenue concerned was not so great as had been stated by the right hon. Gentleman. There were fifty-one articles, the duty on which was less than 100*l.* each; forty-eight which yielded between 100*l.* and 1,000*l.*; and forty-three articles above 1,000*l.*, and less than 5,000*l.* The amount of duty on the first class was 12,000*l.*, on the second, 20,000*l.*, and on the last class, 120,000*l.*; so that the whole amount of duty received on these articles was about 152,000*l.*: in consequence, however, of other and smaller duties being imposed on some of the articles, the loss to the revenue would not be more than between 110,000*l.* and 120,000*l.* His right hon. friend had asked why some articles, the reduction of the duty on which was recommended by the West-India Committee, were not included in this schedule? It was his desire to include all these articles. Several were included, and he would state why others were omitted. Aloes, castor oil, and cocoa, were articles of West-Indian produce; and the reduction of the duties on them would be satisfactory to Gentlemen connected with the colonies. There were three articles upon which the duty had not been altered—ginger, pimento, and colonial vinegar, although recommended by the Committee. The duty on ginger was reduced one-half some years ago, and on the average was not above five per cent. When the duty was formerly reduced, it was anticipated that great benefit would result, as it would lead to increased consumption. But since the reduction of the duty in 1825, there had been a falling off in the consumption, to the extent of one-third or one fourth; so that it was clear that a further reduction of duty would not lead to a greater consumption. It was clear that the reduction of this duty of five per cent would not affect the sale, nor be attended with any advantage to the producer. Again, there had been no reduction of the duty on pimento, and the reason was, that this article was connected with a number of others, and, if the duty was taken off one, it must be altered with reference to the others. Pimento was classed with spices, including pepper, and to reduce the duty on one it must be altered on all the articles of the class. The duty on pepper was now about 1*s.*, while the price was only 2*d.* or 3*d.* He admitted that it was desirable to make reductions on these articles, but circumstances prevented them from doing so with regard to all of them. With respect to vinegar manufactured in, or imported from, the colonies, it must be recollected that there was a heavy Excise duty on vinegar manufactured in this country; it might, however, hereafter be a question whether the Customs duty might not be reduced; but, from the best information that he had been able to obtain, he was led to believe that the importation to this country would not be materially increased, even if the Customs duty on colonial vinegar were assimilated to the Excise duty paid on the article manufactured at home. He had stated the reasons which had induced the Government to exclude these articles from the present measure. His right hon. friend said, that there were some articles on which the duty had been unnecessarily reduced. He differed from his right hon. friend on that point; and did not hesitate to say, that there was not a reduction proposed which could not be justified. In the first place, as to the duty on spelter, that had lately become an article of considerable importance in connexion with our manufactures; and, in consequence of the mode of rolling it, was now applied to a variety of useful purposes. As to oak bark, the duties on other barks had been altered, but there had been no change with respect to that article, for at present it paid no duty. The reductions that had taken place had been chiefly in barks used for dyeing or medicinal purposes. The duty on barks used by dyers and tanners was to be 8*d.* per cwt., while that on medicinal barks was to be 1*d.* per lb.; at the same time, the extract of bark imported from the colonies was to pay a duty of 1*d.* per cwt., instead of 3*s.* as formerly. As to the duty on manganese, that article, like spelter, was of very considerable importance in our manufactures. The consumption of it in the process of bleaching was very considerable. As to the reduction of the duty on hides, the whole amount of that would not exceed 20,000*l.*

Mr. Alderman *Thompson* approved of the reductions, but there were articles omitted which he certainly expected would have been inserted, in consequence of the representations that had been made by merchants and persons engaged in trade, and the hopes that had been held out to them. He alluded particularly to currants, upon which there was a duty levied of fifty per cent. The price of currants in the island of Zante was 8*s*. per cwt., but the duty charged was 44*s*. per cwt. The quantity of currants imported was about 7,000 tons; and of that quantity, 2,000 tons had sometimes remained in the hands of the importers, in consequence of their not being able to sell them, from the high price, and they had been glad to export them for the sake of the drawback. If the duty were lowered, the consumption would be considerably increased. And he could not understand why this article should be taxed at such an enormous rate, when raisins, which was a foreign article, paid a duty of only 21*s*. per cwt. They were brought entirely from foreign countries, with the exception of a very small quantity from the Cape of Good Hope; but currants were all brought from the Ionian Islands. It was most inexpedient that such a heavy duty should be placed upon currants, as they were much consumed by the poorer classes, and, if the price were reduced, the consumption would greatly increase. He was glad that the right hon. Gentleman had reduced the duties on spelter, manganese, cobalt, and other metals, and as far as he could judge at present, the reduction of duties seemed judicious.

Mr. *Burge* regretted that his Majesty's Government had not found it convenient to reduce the duties on pimento and ginger. It perhaps was not generally known, that the larger portion of the latter article brought to market, was the produce of persons of colour and emancipated slaves; and when such exertions were made to prepare the slaves for emancipation, it would be well to give as much encouragement as possible to the production of articles chiefly cultivated by the free population of the colonies. The right hon. Gentleman was, doubtless, aware that there was a discriminating duty on the importation of copper ore, not being the produce of any of our possessions in the East Indies. Recently, however, there had been discovered in the eastern part of the island of Jamaica, some valuable copper mines, and as hopes were entertained of working them with the greatest success, he saw no reason why the produce of the territories of the East-India Company should be placed on a better footing than that of our West-India colonies. He trusted, now the circumstance was known, that his Majesty's Government would equalize the duties.

Mr. *Goulburn* thought that the duties on both pimento and ginger should be reduced considerably, and more especially as the class of persons who were chiefly engaged in the cultivation of these articles, were the emancipated population. He should also have been extremely glad if a reduction could have been made in the duty on colonial vinegar.

Mr. *Warburton* felt much gratified at the reductions proposed; and would avail himself of that opportunity of suggesting to his right hon. friend the expediency of some new arrangements in the schedule, as things were classified under one head which had no connexion with one another. For instance, under the head "gums," there was gum Arabic, or Senegal; and then gum Benjamin, which was not a gum. He should have been glad if his right hon. friend had proposed a reduction of the duty on cinnamon. We were keeping up the old and abominable system of Dutch monopoly in the isle of Ceylon with respect to this article, and he was in hopes that something would have been done to put an end to it.

Lord *Sandon* trusted, that the reductions would be extended to other articles. On some articles there was a difference of duty without any assignable reason; for instance, three times as much was paid on the teeth of the sea-horse as on those of the elephant. Again, there were some articles upon which it was quite unnecessary to make a reduction. Chicory, for example, which was used to adulterate coffee—it would have been much better if the right hon. Gentleman had been able to reduce the duty on coffee. Again, there was a difference in the duties on some articles brought from the East and West Indies, in favour of the former; and he could not imagine why that should continue. There was one point which he thought a matter of serious consideration —the importation of goods in British or foreign ships; and they ought, in regulating the duties, to give an advantage to the former. He would also press upon the attention of the House, the propriety of extending the privileges of the out-ports; and he did not see why the system of warehousing should not be carried to the same extent in the out-ports as in the metropolis.

Mr. *Poulett Thomson* said, the reason why the duty on currants had not been reduced was, the amount which it yielded to the revenue, and the doubts which existed whether the consumption would increase from the reduction of the duty. The hon. and learned Gentleman alluded to copper ore being found in Jamaica; he was not before aware of the existence of copper mines in that colony, and did not see any necessity for preserving the distinction. With respect to gum Senegal, he would merely observe, that it was brought from a French colony on the coast of Africa, and formerly was obtained only in a most inconvenient mode; being shipped from the colony to France, and afterwards sent to some Trans-atlantic possession, to be shipped to England. He must do France the justice to say, that she was the first to do away with this absurdity, and to allow gum Senegal to come direct to England. With respect to cinnamon, to which his hon. friend referred, that article was so mixed up with the system of government in the island of Ceylon, that he should abstain from going into the question. There was only one other article to which it was necessary to refer—which was tincal, or borax; essential in our china manufactures. Many lives had been annually sacrificed by the use of white-lead in this manufacture, but the necessity of using white-lead had been obviated to a great extent by the use of boracic acid, and by the introduction of cobalt.

Resolutions agreed to. House resumed.

HOUSE OF LORDS,

Monday, June 18, 1832.

MINUTES.] Papers ordered. On the Motion of Lord SUFFIELD, a Copy of the Despatch from Viscount GODERICH to the Earl of BELMORE, dated 1st November, 1831.

Bills. Read a third time:—Norfolk Assizes.—Read a second time:—Consolidated Fund.

Petitions presented. By the Earl of WICKLOW, from the King's County,—in favour of the Bill for Removing the Assizes to Tullamore.—By Lord KING, from Kilrossenty;—and by the Earl of DARNLEY, from three Places in Ireland,—against Tithes.—By the Duke of GORDON, from Exeter against,—and by a NOBLE LORD, from the Political Union of Enniscorthy,—in favour of the Ministerial Plan of Education (Ireland).—By the Marquess of ABERCORN, from Linlithgow,—against the Scotch Reform Bill.

TITHES (IRELAND).] Lord *King* presented a Petition from several Parishes in Cornwall, praying for a better distribution of Tithes, which, he was happy to say, they called, as he did, public property. He was very glad to find, that that notion was getting very prevalent in the country, because he thought that no man ought to doubt for a moment that the Church property was not the property of the clergyman, but of the congregation—of the whole Church. While on his legs, he should like to ask, what had become of the Tithe Composition Act? It had undergone all sorts of delays in that House—though why he could not tell, unless because it was thought advisable to wait and see what became of the Reform Bill. But, at all events, he would take on himself to say, that every one who examined that Bill would see its utter futility, and that it was merely a sort of pretence for a Bill—as much as to say, "Only see how ready we are to do something, though we will take very good care to do nothing." The Reform Bill, however, had passed; a real improvement had taken place in the State, and he was therefore willing to hope, that the time was at hand when a real improvement would take place in the Church also. Schedule A of the State, the strong hold of corruption, was gone; and he, therefore, saw no reason why the schedule A of the Church should not go too. With respect to the unjust distribution of the income of the Church, he had already, on previous occasions, called the attention to their Lordships to a case at Exeter, and a case in Oxfordshire; and he might now mention a case in which one of the Prebendaries of Lincoln held the living of a parish near Yeovil, and, receiving from it 600*l.* or 700*l.* a-year, allowed his curate 30*l.* a-year. The noble Lord also presented a petition on the same subject from a parish in Waterford.

COURT OF EXCHEQUER (SCOTLAND) BILL.] On the Motion for the third reading of this Bill,

The Duke of *Buccleugh* rose to move several Amendments, the effect of which was, to continue the Court with only one Judge, and at a reduced salary. He was sure that neither the State nor the public would benefit by the total abolition of the Court, and he could not believe that handing over its business to a Lord of Session, who was unacquainted with it, could promote the public service. He was convinced that if the Junior Baron as well as the Chief Baron were to retire, some new Court would be necessary to carry on the business. As a saving of 6,000*l.* a-year would be effected by abolishing the office of Chief Baron, and the office of one Junior Baron, he should hope that his Amendments would be agreed to.

The Earl of *Roseberry* was surprised at the course followed by the noble Duke, which was most unusual. The Amendments moved by the noble Duke struck at the principle of the Bill which was to abolish prospectively the Court of Exchequer in Scotland, on the death or retirement of the present Barons. The noble Duke had laid no ground whatever to induce their Lordships to follow the unusual course recommended by the noble Duke.

Amendments negatived.

The *Lord Chancellor* said, that his attention having been drawn to the subject, he thought it then right to state that restrictions might be imposed on granting pensions to Judges in future. What the provision for them, as well as the retiring provision for the Lord Chancellor, ought to be, it was not for him to say, but he hoped that this observation would be considered a notice to all those who might hereafter have applications to make on this subject.

Bill read a third time and passed.

HOUSE OF COMMONS,

Monday, June 18, 1832.

MINUTES.] Papers ordered. On the Motion of Mr. NORTH, a Return of all Cases in Cities, Boroughs, Cinque Ports, and Places, where the Election of Corporate Officers may, by Charter or otherwise, take place on Sunday, particularizing those Cases, where, to satisfy the Law or Custom, the Election must be proceeded to on Sunday.

New Writ issued. On the Motion of Mr. EDWARD ELLICE, for the Borough of Wycombe, in the room of Sir THOMAS BARING, accepted the Chiltern Hundreds.

Bills. Read a second time:—Stage Coach Duties.—Read a third time:—Juries (India).

Petitions presented. By Lord ROBERT GROSVENOR, from Chester,—in favour of the Ministerial Plan of Education (Ireland); and another, from the same Place, against it.—By Colonel DAVIES, from Worcester, for an Extensive measure of Reform for Ireland; and by Mr. LEFROY, from the Protestant Conservative Society of Ireland, against the Irish Reform Bill, and particularly against the qualification being so low as 10*l.*

REFORM (IRELAND)—PETITIONS.] Lord Althorp moved the Order of the Day for the House to resolve itself into Committee on the Reform of Parliament (Ireland) Bill.

Mr. *O'Connell* begged to take that opportunity to present two petitions—one from the National Political Union in the City of Dublin, and the other from the City of Waterford—against this Bill, and praying for a more extensive and just measure for that country.

Mr. *Praed* took that opportunity of remarking upon an extraordinary calculation which had been put forth by the hon. and learned member for Kerry, with respect to the claims which Ireland had to an increase in the number of the Representatives in that House. The hon. and learned Member had taken the population on the one hand, and the revenue of Ireland on the other, and had formed a calculation, upon which he asserted that the number of Members which Ireland ought to have, when compared with the number which, upon the same data, had been awarded to England, was 178. Now, there was a great fallacy in supposing that those data had formed the basis of the Representative force of England, for if they were to be so applied as the hon. and learned Member had applied them, the number of Members which England might claim was no less than 1,034.

Mr. *Petre* said, that he understood the hon. member for Kerry to have said the other night, in the discussion on this Bill, that the English Catholics, before emancipation was passed, would have been content to have received a lesser measure, and that, in fact, they would have been content to have been allowed to be Justices of the Peace. He (Mr. Petre) would take that opportunity, more for the satisfaction of others than for his own, to inquire from his hon. friend (the member for Steyning), who had for so many years acted as Secretary to the Catholics of England, whether such was the fact?

Mr. *Blount*, having been thus appealed to by his hon. friend, begged to say distinctly, that the Catholics of England would not have been content with a less measure than that which they had received, and which had restored to them the whole of their rights.

Mr. *Henry Grattan* supported the prayer of the petitioners. He would only say, in reference to the observations of the hon. member for St. Germain's (Mr. Praed), that if the calculations he had referred to were false, they had been made by Lord Castlereagh at the period of the Union.

Petitions read.

Mr. *O'Connell*, in moving that the petition be printed, said, that when the proper time came for the discussion of the point, he would be ready to meet the arguments of the hon. and learned Member (Mr. Praed), who had brought his ingenuity to the aid of the right hon. Secretary opposite. He could not avoid, indeed, congratulating the right hon. Secretary on the support he received from the Tories. They knew that he was their best friend, and always came down to support him with their votes, and enforce his reasoning by their arguments. With regard to what had fallen from the hon. member for Ilchester (Mr. Petre), he begged to say, that what he (Mr. O'Connell) had said on a former evening was, not that the Catholics of England, before emancipation was passed, would have been contented with being allowed to act as Justices of the Peace, but that they would have been glad to have obtained such a boon; and he then proceeded to state, what he would now repeat, that it was to the exertion of the 40*s*. freeholders of Ireland they were indebted for what they got. Yet these English Catholic Members, thus placed in that House by the efforts of the Irish 40*s*. freeholders, had, the other night, gone down below the bar with those who voted against them! He would tell the hon. member for Ilchester, that there was not a single shirtless, ragged fellow amongst those 40*s*. freeholders who would change places with him, and have such a stain of ingratitude imprinted on his character.

Mr. *Praed* must repeat his statement, that, upon the grounds which the hon. member for Kerry put forward, as entitling Ireland to additional Representatives, England would be entitled to claim 1,004 Members. He was not before aware that Lord Castlereagh's authority had so much weight with the hon. Members opposite, but if Lord Castlereagh's calculations were the grounds of their arguments, those calculations completely upset the hon. Member's declamation. Lord Castlereagh's data gave 108 Members for Ireland at the period of the Union, and if it now merited, according to the hon. and learned Member, 178, was not that a striking proof of its progress in prosperity? With respect to his own assertions, if the hon. and learned Member could prove them to be inaccurate, he would support every amendment moved by the hon. and learned Member.

Sir *Robert Peel* said, that he certainly, in common with the hon. member for Ilchester, understood the hon. member for Kerry to assert, the other evening, that, at the time the Irish Catholics obtained emancipation, the English Catholics would have been content to be allowed to act as Justices of the Peace. He thought that the hon. member for Ilchester was perfectly justified in rising in his place on this occasion, and, for the satisfaction of others, appealing to the late Secretary to the Catholics of England on the subject, he did not think that his doing so at all called for the taunts and sarcasms of the hon. and learned Gentleman. He (Sir Robert Peel) heard the hon. and learned Gentleman himself, on the night referred to, make a most extraordinary declaration. He heard the hon. and learned Gentleman, after the division on that night, referring to the vote given by the English Catholic Members on that occasion, declare that they ought to be disfranchised of their rights, and that the penal code should be again applied to them. The English Catholic Members expressed their opinions independently upon a certain subject, and for so doing the hon. and learned Member would re-subject them to the penal code! Was the hon. Member aware that such doctrine would justify altogether the past existence of the penal code, for that code was enacted solely against opinions? The hon. and learned Gentleman talked of the ragged and shirtless 40*s*. freeholders, and yet such were the persons to whom he wished the franchise to be extended.

Mr. *O'Connell* begged to congratulate the hon. member for Ilchester upon the defender who had stepped forward to his aid on this occasion—a defender who had kept him from his rights as long as he could, and who had at length conceded them to him voluntarily and of his own accord; that was to say, when he was compelled to do so by the Irish people. He had not said that he wished the English Catholics to be unemancipated, but what he had said was, that the English Catholic Members who voted the other night against the 40*s*. freeholders deserved to be deprived of the benefits of emancipation. The right hon. member for Tamworth was possessed of a singular advantage with regard to this subject, for, having been on both sides of the question, he was enabled to speak with great facility on one side or the other. There were politicians who, to keep office, often wheeled about, and veered from one side to the other, and yet who were ready, upon occasion, to talk of principle. As to the hon. calculator, he should have an answer to his mathematical conundrum when the House came to that part of the Bill; at present he had introduced it prematurely. With regard to the hon. Gentleman opposite, he could only congratulate him upon the able services of his official defender.

Sir *Robert Peel* would not then go into the question, whether or not he had veered about in politics for profit or for place; but he would put it to the good sense of the House, whether the hon. and learned Gentleman had defended himself, or had not rather attempted to divert the attention of the House from himself by making an attack on him (Sir Robert Peel). He agreed with the learned Gentleman, that there were politicians utterly destitute of principle, and he would add, that there were politicians who scrupled not to keep a whole country in agitation, and to prevent the return of tranquillity and prosperity, in order to promote their own private and selfish ends. He would ask the House, if there was common justice or common sense in the position, that Members of Parliament, and those Members Catholic, should, on account of their having given an independent vote, be deprived of their rights, and have a code of disabilities re-enacted specially for them? Such were the intolerant principles on which the learned Gentleman would act, if he had the power. He had seen in other countries men professing principles of extreme liberality, like the learned Member, who, when they got the possession of power, displayed a tyranny which had never been exhibited by the greatest despots of ancient or modern times. He did not doubt the sincerity of the hon. Member, and his readiness to put his wishes in execution, if enabled to do so. When the hon. Member talked about the 40*s*. freeholders, did he forget, that he himself only proposed by his Motion to restore the franchise to the 40*s*. freeholders in fee, who formed a very small proportion of that body of 40*s*. freeholders to whose efforts the hon. Member attributed the restoration of his civil rights? If, therefore, the hon. member for Ilchester could be accused of ingratitude in reference to the 40*s*. freeholders, with how much more justice did the charge of ingratitude lie against the learned Gentleman, who had excluded the great body of the 40*s*. freeholders from the benefit of his own Motion.

Mr. *Jerningham* said, that while he gave the 40*s*. freeholders of Ireland credit for the most prodigious efforts, he had voted against their enfranchisement, on general principles, and because he did not think it would be beneficial to the country. Giving those freeholders credit for their exertions, he did not ascribe the enfranchisement of the Catholics to them. It was brought about by a variety of causes, and among them was to be placed high in advance the resignation of the present Prime Minister in 1807. He was not insensible also to the claims of the Duke of Wellington, to whom he conceived he was as much indebted for emancipation as he was to the 40*s*. freeholders.

Petitions to be printed.

Mr. *O'Connell* presented a Petition from the Sheffield Political Union, praying that as comprehensive a measure of Reform should be given to Ireland as had been given to England. The right hon. Baronet, he observed, had said, that if he (Mr O'Connell) were in power, he would exercise that power against the rights of others. That was a matter of prophecy, and the right hon. Baronet was a bad prophet; but the way in which others had exercised power was a matter of history. He admitted that a gross injustice had been done to all 40*s*. freeholders, and that his Motion did not go to remedy the whole of that injustice. He was bound, however, to consider what he was likely to effect, and, as he had been unable to carry even his limited proposition, it was quite evident that it would have been utterly useless to submit a more extended one to the House.

Petition to be printed.

Mr. *O'Connell* begged to repeat a question he had before put to the right hon. Gentleman, the Secretary for Ireland. He begged to ask, whether the Government had abandoned the Irish Jury Bill, which had been some time since disposed of by this House, or was it their intention to press it?

Mr. *Stanley* said, that the hon. and learned Gentleman had asked that question on a former occasion, when he (Mr. Stanley) gave the only reply he could give, and which he now repeated—namely, that his Majesty's Government had no intention of abandoning the Bill; on the contrary, he (Mr. Stanley) had within the last few days, requested his noble friend at the head of the Home Department to press forward the Bill in the other House of Parliament.

Mr. *Lefroy* begged to be permitted, before the Order of the Day for the further consideration of the Irish Reform Bill was read, to present a petition upon that measure. The petition was that of a Protestant Conservative Society of Ireland, suggesting several amendments to the measure now before the House. Amongst others, the petition suggested that the qualification should be a 30*l*. instead of a 10*l*. qualification, by which means the franchise would be enjoyed by the same class of persons in Ireland as in England. The petitioners concluded by praying the House to pass no measure of Reform that did not contain the amendments proposed.

Sir *John Newport* objected to many of the propositions contained in the petition; but particularly he deprecated such a suggestion as that which sought to require, in a poor country, a franchise of *30l.* while in a richer country, the franchise was given to a *10l.* householder.

Petition to lie on the Table.

Mr. *Lefroy*, on moving that the petition be printed, was satisfied merely to remark, that the object of the petitioners would be met, if the measure was so modified as to be calculated to tend to secure the safety and interests of Ireland.

Mr. *O'Connell* thought it was too much to ask even the hon. Gentlemen on the other side of the House to reduce the constituency of Ireland to about 2,000, which would be the effect of the adoption of the suggestion of the Conservative Society.

The petition to be printed.

PARLIAMENTARY REFORM—BILL FOR IRELAND—COMMITTEE—SECOND DAY.] The Order of the Day for the further consideration of the Reform of Parliament (Ireland) Bill was read.

The Speaker put the question—"That I do now leave the Chair?"

Mr. *O'Connell* said, his object in then rising was, to propose another instruction to the Committee. There were other material points to which he was anxious to call the attention of the House, but these he should reserve for a future stage of their proceedings. He could not proceed without again adverting to the fact, that his Majesty's Government had furnished no information as to the population of Ireland, except that contained in the boundaries book. The information which this book contained was most vague and unsatisfactory, and he could not but deeply lament that a production so stupid and disgraceful had been brought forward in that House. Not a single charter had been published in that book of information, although the boroughs were to be affected by the Bill, and yet these documents could have been procurred either in the Rolls Office, or at the Birmingham Tower, Dublin—or, if they thought it too troublesome to send to Ireland, they might have obtained charters of a more ancient date in the Tower of London. He had a right to complain of this neglect on the part of those whose duty it was, to have supplied this information. When the House came to consider the boroughs, it was most important that it should have before it the charters under which the boroughs had been enfranchised. He complained the more of this neglect on the part of the Government, when he found them actually fighting the battle of the Beresford family, in that portion of the Bill which had reference to the borough of Coleraine. It was true, that an excuse had been made for the non-production of the charter belonging to the borough of Ennis, namely, that it was pledged for a sum of money to some individual in the county of Galway. In this case, of course, they could not produce the charter, unless they consented to pay off the encumbrance. He thought, however, that all such charters as were not circumstanced in this way should be published, for the information of the House. He confessed that he entertained but little prospect of success in his present Motion. This apprehension was one of the melancholy effects of the contempt in which the affairs of Ireland seemed to be held in this country. The right hon. Gentleman opposite would, no doubt, command a majority upon every point which might limit the constituency of Ireland—he would be ably supported by his new and faithful allies on that side of the House. They would often have to witness, before the termination of those proceedings, such miserable spectacles as had been exhibited in that House a few evenings ago. They would behold men, calling themselves Reformers, marching in, arm-in-arm, with their late opponents, to vote against the men who, through evil report and through good report, had sustained them, and when, without their assistance they must have been prostrated in the dust. These were the men who called themselves Reformers, while they were aiding and abetting the cause of despotism in Ireland. This was Whig gratitude. This was the requital which the Representatives of Ireland were to receive for sleepless nights—for their laborious and unceasing exertions—for the numberless sacrifices they had made in defence of English liberty. He expected this. He was prepared for it. It was in perfect keeping with the policy which the Whig Ministry had pursued towards his country. Well, let them go on. Let them follow up their system of injustice. He firmly believed that all those things were for the best, and that the right hon. Gentleman, in spite of his intentions to the contrary, would be the means of effecting the speedy regeneration of Ireland. The events which had taken place in that country justified him in saying this, and the House might rely upon his prediction, that this contemptuous refusal of common justice to Ireland would lead to results which it was then in their power to avert, and which might yet be remembered by them with regret. He did not hope to carry his present Motion, but would, nevertheless, denounce the injustice of the measure—he would reiterate his objections, and if he did not succeed in making an impression upon that House, he would at least expose the conduct of this Whig Ministry in the eyes of the people of England. He would now call the attention of the House to some of the most glaring defects of the present measure. In the former Bill, the same system of registration which existed in this country was provided for Ireland, as a boon. The dissolution of Parliament took place, and Ireland returned to this House Reformers pledged to support this Bill, acting under the compact which it was imagined had been entered into. In the present Bill the registration remained unaltered. The old abuses were preserved in Ireland, while in England a much cheaper, a less inconvenient, and, in every sense of the word, an infinitely better and more effective measure had been adopted. Was not this a gross, a shameful violation of the compact which had been entered into with the Irish nation? For this change he believed they were indebted to the Tory Attorney General for Ireland, and, knowing this fact it did not surprise him. The compact was, however, broken. This was another insult to the Irish nation; it was another specimen of the fidelity and honour with which England had fulfilled her compacts with Ireland. The first question they had to determine in discussing this measure was, whether the constituency of Ireland was as sufficient and extensive as it ought to be. This was the basis of the English Bill—this was the first question they had taken into consideration, and he thought that the extension of the constituency was the greatest benefit conferred upon England by that Bill. In Ireland how did the case stand? That there was an extensive and sufficient constituency in Ireland, up to the year 1829, was not to be doubted, but now, he should be able to show, it would be reduced to a constituency not exceeding 25,000, and that miserably limited. Up to the year 1829 the constituency was nominally 216,000, and really about 200,000; but, by the blow that was struck in that year, it was at once reduced to 25,000. He would give the House a few specimens of the numbers that would have a right to vote according to this measure. In six of the counties of Ireland there would not be so many as 300 10*l.* voters. In Sligo with a population of 171,508, there would be 299 voters; in Carlow, with a population of 81,576, there would be 193 voters; in Kildare, with a population of 108,400, 191 voters; in Kerry, with a population of 240,000, 178 voters; in Dublin county, with a population of 183,000, 109 voters; and in Donegal, with a population of 298,104, there would be sixty-six voters. Was that a state of things which ought to exist? Hon. Gentlemen whispered he was inaccurate in his statement; but that could not be, for he had copied the figures from the Parliamentary Returns. But he would give the House some other specimens. In seven of the counties of Ireland, the 10*l.* voters would not amount to 400; in Kilkenny, with a population of 169,000, there would be 383 voters; in Louth, with a population of 108,000, 380 voters; in Westmeath, with a population of 136,000, there would be 366 voters; in Mayo, with a population of 367,000, there would be 335 voters; in King's County, with a population of 144,000, there would be 301 voters; in Queen's County, with a population of 145,000, there would be 302 voters; and in Meath, with a population of 177,000, there would be 308 voters. In five of the counties, the 10*l.* voters would not amount to 500; in Tipperary, with a population of 402,000, there would be 475 voters; in Roscommon, with a population of 239,000, there would be 470 voters; in Waterford, with a population of 148,000, there would be 483 voters; in Longford, with a population of 112,000, there would be 463 voters; and in Cork county, with a population of 700,000 there would be 477 voters. With respect to the other counties, Wexford, with a population of 172,000, would contain 672 voters; Leitrim, with a population of 141,000, 554 voters; and Wicklow, with a population of 122,000, would contain 533 voters; the other eleven counties, on an average, contained above 700 voters. And here, by-the bye, was a very instructive fact: out of these eleven counties, no less than eight were in the province of Ulster, the other three being Galway, Limerick, and Clare. The Assistant-barristers of Galway and Limerick, were both Catholics, but such was not the case with respect to Clare: and what was the result of this circumstance? The number of voters for Galway was 1,812; for Limerick 1,369; and for Clare only 946; and, from his connexion with that county, he was able to state, that the registration of those 946 cost upwards of 1,500*l.* No wonder, then, that the Conservatives were all anxious to keep up the system of Assistant barristers, and that the Reformers were all anxious to get rid of it. From these calculations it appeared, that there were 19,000 and odd 10*l.* voters in Ireland; he would call them 20,000, and then again ask, was this a sufficient constituency for more than 8,000,000 people? But, no doubt, he should be told by the right hon. Gentleman that there were other voters, such as the 50*l.* voters and the 20*l.* voters; and, according to his calculation, there were 23,000 of the former, and 9,000 of the latter. Such certainly did appear by the documents to be the fact; but every 50*l.* voter since the year 1790 had been reckoned, so that they had three generations on the list; and even with respect to the 20*l.* voters, the same inaccuracy prevailed to a considerable extent. The 20*l.* rent-chargers were registered every eight years, so that, after the lapse of eight years, they necessarily had the duplicate entry of the same person; therefore, taking all these circumstances into consideration, the right hon. Gentleman's calculation was infinitely too great. He (Mr. O'Connell) had had the experience of three contested elections in Ireland, and on the basis of that experience his calculation was, that the real amount of these voters was not above one-ninth of that stated by the right hon. Gentleman; but he was content to give him one-sixth, and then that would yield 26,000 voters for the entire constituency. The hon. member for Kilkenny had made a calculation of the returns of the number of persons who polled at contested elections in eighteen of the counties of Ireland; and that number amounted to 15,211: there then remained fourteen counties unpolled. But it should be observed that the contest took place in those counties where there was the greatest number of voters. Now, let any man calculate on these data; and he would fearlessly ask him, whether, in giving a constituency of 26,000 to Ireland, he had not placed the number infinitely too high? He would then ask the House if this state of the elective franchise was to be endured? Were these the advantages which Ireland was to hope for under a Whig Government? Was this an extension of the franchise, or was it to be called Reform? Ireland, it was well known, had always suffered as much, if not more, under a Whig than a Tory Government. It was the Whigs who enacted the penal code, and even in the present Administration there seemed the same determination to use the strong hand of domination over Ireland, as well as to perpetuate all the misdeeds and misrule of their late predecessors in office—and all to gratify petty and contemptible prejudices—prejudices which were by no means confined to the lowest class of the people. Some hon. Gentlemen would say that the franchise had been extended in consequence of the holders of leases, originally granted for sixty years, being entitled to vote. But what were they? Why, he would tell the noble Lord opposite, who seemed to consider them as worthy of attention, that there was no such class of voters known in Leinster, Munster, or Connaught; nor did he believe there were more than fifty or sixty of these voters altogether in Ulster. There might be twenty or thirty in Armagh; but with the exception of Down, in which he understood there were about twenty or twenty-five on one estate, they were not to be found in any other part of this province. The noble Lord had stated that there were a number of Catholics holding leases of this description. Was the noble Lord so ignorant of Irish history as not to know that the Catholics were not permitted to hold property in some of these counties? Did the noble Lord not know that they were turned out of their lands and possessions, and were sent, as was the fashion in that day in this unfortunate district, to "hell or Connaught." "You boast of this miserable addition to the franchise (which, I again repeat, is of no possible advantage to Ireland) while in other respects you reduce the constituency in counties to nearly half its present amount. For instance, in Kerry we have 178 voters at present. By your Bill which you intend as a Reform, you cut off seventy-nine, thus reducing the constituency for such an immense population to the miserable number of ninety-nine." [*Lord Althorp left the House.*] The noble Lord went away. His observations were not, perhaps, worthy of being listened to, but Ireland formed the subject of deliberation, and this, doubtless, was a very legitimate excuse for the abrupt departure of the noble Lord. He, however, had left the case to one of his underlings. He could not have made a more proper selection than the right hon. Gentleman opposite. He was much better adapted for the task than the noble Lord. He possessed the requisite qualification in acts of domination, and, therefore, he was just the person, of all others, most fit to reply to him. What was the object of the English Reform? To increase the constituency. What was the object of this Bill? To decrease it. Under the present system, a man who had a freehold of the required amount in the towns, was entitled to vote in the county in respect to his freehold, while, if he resided in the town, he was also entitled to a vote for the town, in respect to his residence. That practice was now to be abolished, and no inhabitants of towns that were not counties of themselves were to have the double vote. It might be right enough to refuse the double vote to the inhabitants of towns that were counties of themselves, but why were other towns to be deprived of the advantage? When complaint had been made of this measure upon a former occasion, the answer given was, that such a provision was in perfect accordance with the English Bill; that, in fact, the object was, to assimilate the Irish and English system of voting. True it was, that such was the principle of the English Bill. This argument was always used when the constituency was to be decreased, but it was never applied for the opposite purpose. The regulation of the English Bill was to preserve the agricultural and manufacturing interests, and to prevent the one obtaining an undue preponderance over the other in the Representation. It was on this principle that the constituency was limited in towns whenever it had taken place. But the House must see, that no such distinction existed in Ireland. There was no manufacturing interest in any of her boroughs. Ireland had been long since plundered of these advantages, and, therefore, the principle did not apply; but on what principle was it that the freehold right of voting was to be taken away from cities which were counties of themselves? For his part, he confessed his utter ignorance of any ground upon which such a course could be maintained. Such was the Reform Bill intended for Ireland. Could any single human being be found to say with sincerity that it was a just one? Hon. Members on the other side of the House might join the right hon. Gentleman in voting against him; but he defied them to reconcile to their consciences the justice of the vote. It appeared to him that the object of all parties in that House was to exclude the people of Ireland from all real share in the Representation. He was justified in entertaining the belief, not only by what Government had not done, but by what it had done. Could any man think otherwise when he saw two Members given to the College of Dublin, where it was impossible that there could be a single Catholic voter, and where the present Representative was amply sufficient? What, he would ask, was this but making a religious difference, and leaving the Catholic Question open as if the Bill of 1829 had never been passed? The right hon. Gentleman, on introducing the former Bill, defended the measure against attacks from this side of the House, upon the ground that the Bill of 1829 abolished all religious distinctions —that Protestant and Catholic were by that measure put upon the same level, and yet they heard the same right hon. Gentleman, a few evenings ago, declare that the additional Member was given to the University because it was a Protestant establishment. How could the right hon. Gentleman reconcile this gross inconsistency? He repeated that the 10*l.* franchise would diminish the number of voters for Ireland; and he wished to observe, that this franchise had been admitted by the hon. member for Tamworth to be equal to a 20*l.* franchise in England. That statement was true as far as it went, but it might have gone further, and have been equally true. What was the object of thus restricting the franchise? It could only be to prevent the Catholics from obtaining too much power; and what was that but a revival of a religious question which ought to have been buried in oblivion? Did the right hon. Gentleman suppose that this Bill was to be final for Ireland? If he did he was mistaken; it not only would not be final, but it would not content the country one hour. The measure did not satisfy any party. If it conciliated the hon. member for Dundalk, or the learned member for the University of Dublin, he could understand it; but there was this singularity about the measure; that no human being was satisfied with it, The Ministers, by adopting it, were securing the hatred of the Conservatives, and gratuitously adding thereto the just vengeance of the Liberals. Ministers were doing that which they were accusing him of trying to do, far more rapidly than they imagined. Perhaps they thought they might succeed by playing off one party against another; but they would fail. He would not vote against the Orangemen; and it was surely a gross injustice to take away from the Protestants because they were Protestants, when it was refused to give to the Catholics because they were Catholics. And this was the splendid safety-conciliating Administration! They gave to Ireland a Procession Bill this year; last year they gave a Yeomanry Bill; in short, they would give any bill that should not introduce common sense into Ireland. There was common sense in the Tories; there was common sense in the right hon. Baronet; what he said to the Irish Protestants was, "Assist me in putting down the mass of the population, and I will give you great advantages." That was a comprehensible bargain; and the Protestants served him zealously. But this Government had thrown the Protestants overboard; and after exasperating them to the utmost, it turned round and exasperated the people too. Admirable policy! Most excellent and statesman-like craft! But the House was told that this Bill would be lost elsewhere; after the passing of the English Bill, however, he hardly thought, that was very likely. He might probably be asked what was his remedy for the grievance that he had pointed out. It was a very simple one. Let them give a 5*l.* instead of a 10*l.* franchise to Ireland. Let the machinery of the Bill be substantial, but inexpensive. Perhaps it would be said that this was making a new qualification. But were there no new qualifications in the English Bill? And, besides, from his evidence in 1815, it would be perceived that he proposed the same thing; his words were often quoted against him; so, in this instance, let him have the benefit of them in his favour. The right hon. Gentleman had told the House that, if he could be shown that there would be a numerous and respectable 10*s.* constituency, he would consent to that franchise; and then he went on to quote a case in which 800 40*s.* freeholders were bribed.

Mr. *Stanley* did not say, that they were bribed; he had said, that they were so notoriously venal that the four candidates agreed that they could buy them at any price.

Mr. *O'Connell* liked a good distinction; and this certainly was an excellent one; they were not bought, because they all could be bought; but he should like to know whether other voters had not been bought, and whether there were not Gentlemen in the House who could bear witness to electors having been bought right and left? He remembered hearing of a Frenchman, who, when asked what constituted a respectable man in England, replied, "*Un homme qui a des ecus.*" Now this was just his proposition; instead of 40*s.* he (Mr. O'Connell) proposed 5*l.*; a bargain which ought to be met by the right hon. Gentleman, as he was sure it would have been by the French judge of respectability. No one would deny that a 5*l.* franchise would be the means of greatly adding to the number of voters. He had shown that there were only 20,000 10*l.* voters; and it was clear that, owing to the reduction of the amount and the encouragement that there would be to landlords to make smaller divisions of their estates, the numbers would amount to 60,000, or even 90,000. Would that be too many for a population of 8,000,000? Scotland with only 1,500,000, was to have an agricultural constituency of 30,000; and, therefore, there would be no danger of the 5*l.* franchise swamping Ireland; it would encourage the landlord to increase the number of the tenantry; and above all it would only tend to render alike the English and Irish Reform Bills. He was told, that if the Amendments to which he had alluded were insisted upon, the Bill might be lost altogether. Let it be lost. He would prefer an injury to an insult; and this Bill, as it stood, was a gross insult to Ireland. The hon. and learned Member concluded by moving an instruction to the Committee to extend the elective franchise to every person seised of a freehold estate, and occupying the same, of the clear yearly value of 5*l.* at the least, over and above all charges except only public taxes.

Mr. *Stanley* said, he had neither the wish nor the right to question the motives of the hon. and learned Member. He doubted not that the hon. and learned Member was, as he professed to be, a sincere and zealous friend of Reform; he doubted not that the hon. Member was sincerely desirous of conciliating the Protestants of Ireland; he doubted not that he was anxious, as he professed to be, of overcoming all prejudices between the two countries and the parties in them, and converting the whole community into one great band of brothers. Yet he must say, that if such were the real objects of the hon. and learned Member, never had any man's public conduct been in more direct opposition to his private wishes than had that of the hon. and learned Member. What had been the conduct of the hon. and learned Member? Even before he had a seat in that House, and before the present Government had come into power, but particularly since the existence of the present Administration, the hon. and learned Gentleman had preached conciliation, and upon every possible occasion practised agitation. The hon. and learned Gentleman had seized upon every occasion of exciting the people to discontent, and poisoning their minds against the Government, while in his professions in that House he had been the friend and supporter of the Government. Every speech of the hon. and learned Member was calculated to induce disobedience to the laws, while he nominally called upon the people to obey them. Himself (Mr. Stanley) and other members of the present Government had been individually the objects of the abuse of the hon. and learned Member. They had had abuse lavished upon them by the hon. and learned Member, which was not disgraceful to them, but utterly disgraceful for any man to utter who claimed the character of a gentleman [*" oh, oh!" from Mr. O'Connell*]. The hon. and learned Member was extremely sensitive of the slightest interruption; even a smile discomposed him—and therefore the hon. Member would act but decently if he allowed him to proceed. That he (Mr. Stanley) had sometimes used violent language in debate he denied not, but on no one occasion had he used such language as had been deliberately put forth by the hon. and learned Member—language which, had it come from any other person than the hon. and learned Member would have been, but from him it could not be, an insult, for he claimed the privilege of neither giving nor receiving an insult. Throughout his public life he had never attempted to depreciate the private character of an opponent; he had never attacked the learned Gentleman, never questioned his motives, or cast imputations on him. He never accused him either in his public or private capacity; never depreciated his fair fame as a politician, or attempted to injure his private character; he never said of the learned Gentleman, with a view to bring him into hatred and contempt, that " he cared not if the people with whom he lived were starved in this world, and eternally damned in the world to come." If he were capable of uttering such expressions, and had given utterance to them in the course of the debate, he should have been anxious to seize the earliest opportunity to apologize for his misconduct; if he had written thus he should have considered himself degraded in his character of a gentleman; but if he had not only written, but coolly published, such language, he should not envy the apathetic feelings of the man who (the subject of so gross a charge) for a moment hesitated to denounce its author as a malignant libeller. This was the way in which the learned Gentleman proceeded:—with conciliation on his tongue, he scattered abroad the principles of disunion and irritation:—whenever he had occasion to allude to the individual who was then addressing the House, he designated him, not as " an Englishman," but by what he considered the opprobrious epithet of " the Saxon;" and this was the learned Gentleman's mode of conciliating and co-operating with the Government! Was the learned Gentleman's conduct or speeches likely to hasten the progress of the Bill? Did he expect to give satisfaction to any body by his proceedings? If the learned Gentleman wished to improve or alter the Bill, why not go into Committee with that view—the Committee which he nightly delayed by discursive speeches? and in which Committee he would enjoy full opportunity for making every motion that he now proposed in the more inconvenient form of instructions. He wished not to ascribe motives to any man, but the learned Gentleman's conduct was so extraordinary, that he felt justified in saying, the learned Gentleman's intention might be to attain, not national, but personal objects. It was just possible that the hon. and learned Gentleman might have some private object to answer; that he might be desirous of availing himself of every opportunity of making violent speeches; that he might be anxious to excite discontent, jealousy, and anger; that although he had himself termed the Irish Reform Bill a " magnificent measure," a " measure for which Ireland ought to be grateful, as the destruction of the rotten boroughs, and those exclusive corporations," which the hon. and learned Member was now so consistently anxious to preserve—it was just possible, he said, that the hon. and learned Member might, for his own particular objects, be anxious that Ireland should regard the Bill with doubt, discontent, and jealousy, rather than with satisfaction, content, and approval. But the hon. and learned Member now, for some purpose or other, desired to postpone or reject the Bill, and he therefore said, the Bill was at variance with the English Bill, and was infinitely worse than the Bill which preceded it. Upon one point only had the hon. and learned Member offered any reasoning or any facts which appeared to him to be important; and that point had nothing whatever to do with the instruction moved; it was the registration. And the hon. and learned Member said, the alteration in the mode of registration had been made on the suggestion of the Attorney General for Ireland, who was in the Orange interest. Such was not the fact. That the Attorney General for Ireland had his political opinions, which did not always coincide with the Government, was true; but it would be an act of the grossest injustice not to vindicate the character of that learned gentleman from the imputations attempted to be cast upon him by the hon. and learned Member, and not to say, that he had upon all occasions done large and ample justice to the Government. With regard to the registration, the Attorney General had nothing whatever to do with it; but the alteration was recommended by several Irish Members, who stated, that the system proposed in the first Bill, the English system—would not work. The hon. and learned Member might start, but such was the fact. He was coming to the name. Foremost in the list stood the right hon. Baronet the member for the Queen's County (Sir Henry Parnell). He did not feel himself called upon to give more names. The hon. and learned Member had asserted, that the Attorney General for Ireland had suggested the alteration in the registration. He had vindicated the character of his learned friend, and in doing so he had stated, that the alteration was made upon the suggestion, among others, of a right hon. Baronet who was well known to be a friend to Reform, and who had a minute practical acquaintance with Ireland. But there were other alterations which the hon. and learned Member complained of. He was perfectly ready to go into the question of the franchise, but, before he did so he must notice the alterations which had been made respecting leaseholders. The House would perhaps hear with astonishment, after the speech of the hon. and learned Member, that that alteration had been made upon the representation of the right hon. Baronet, the member for Waterford, and the hon. and learned member for Kerry himself. Those hon. Members had come to his noble friend and himself, as deputed by the Irish Members who were friendly to the great principles of the Bill, and they had strongly recommended the alteration; and yet, no sooner was it made than the hon. and learned Member turned short round and exclaimed, "Why, the Bill is every way worse than the other; why don't you act upon the same principle with respect to Ireland as you do with respect to England?" He answered thus:—he was ready to yield to the reasoning of the hon. and learned Member, or to that of any other person, when it was just and sound, but he was not ready to follow the hon. and learned Member through all his doubles and his shifts, and, merely to suit his convenience, to adopt a notion in direct contradiction to that which he had followed upon the arguments and statements of the same authority. Convinced by argument he was ready to be, but he could not be convinced, and convinced back again. The hon. and learned Gentleman had sent forth several letters, addressed to the Reformers of England, upon what he called the wrongs of Ireland. He would not then go into all the points touched upon; but he was quite ready to say, that where alteration could be beneficial, the Government would not be ashamed to adopt it. The acquaintance the hon. and learned Gentleman had with Ireland was doubtless great, and enabled him to make many useful suggestions. With respect to the registration, he must observe, that although he was not prepared to adopt the English system, he was very well aware that the present system required alteration. Some of the defects had already been cured, and other beneficial changes might be made. It must be remembered that the plan in England was but an experiment; it had never been tried, and therefore he said, let it be seen how the two systems worked, and, after three or four years, a just opinion might be formed as to which was the best. Let each country have the benefit of the experience of the other, and if one system was found to be the best, whether in England or in Ireland, let it be adopted in both. With regard to popular rights, the hon. and learned Member had contended that the Bill would not extend the franchise, and that, the hon. and learned Member asserted, he had proved to demonstration. The hon. and learned Member had calculated the county constituency at 25,000, and how did he arrive at that number? Why, he said, that 15,000 voters polled in eighteen counties, and that, following out the proportion, there would be 25,000 for thirty-two counties. But how did the hon. and learned Member know that the eighteen counties had been polled out? And yet that was what the hon. and learned Gentleman called proving his position to demonstration. Why, it was an absurdity that even a child could not help exposing. But then the county constituency was to be reduced 2,500 on account of the votes for towns. In Ennis, for instance, there were 300 persons, who now had votes for the county, who would lose them.

Mr. *O'Connell* said, he had quoted a letter to that effect.

Mr. *Stanley:* Oh, a letter! Well, he had a great respect for the correspondents of the hon. and learned Member, but a greater for the official documents before the House, and furnished by the Clerks of the Peace. From those documents it appeared, that in twenty-one towns the number of freeholders who would now poll for the county, and, under the Bill poll for towns, was 1,270, and that in the whole of the cities and towns in Ireland the number would be between 1,400 and 1,500. But it must be remembered, that from that gross number considerable deductions were to be made. In cases of non-occupancy the vote would be retained; and also, when the occupiers had other property, for that property they would have votes. The hon. and learned Member talked of a diminution of the county constituency, but not one voter was struck off that constituency who did not receive compensation, by a vote somewhere else. It might be said, the compensation in some cases was not adequate, but in all the exercise of the elective franchise was preserved to the individual. And as the hon. and learned Member was so fond of comparing the treatment of Ireland with the treatment of England, let him do so in this case. The hon. and learned Gentleman said, that in England the exclusion of the town freeholders from the county constituency arose from a desire in the Government to keep the agricultural and the manufacturing interests distinct. The Government had no such desire; no such intention actuated it; on the contrary, the Government had been, and was, anxious to remove all feelings of jealousy from both of these great interests, and to blend them in harmony together. The hon. and learned Member remarked upon the arrangement proposed with respect to the boundaries of Dungarvan and Mallow. The objections taken might be good ones. He was aware that cases were peculiar; and he was ready to say, that if on discussion it should be the opinion of the Committee that a better arrangement could be made, he should be ready to bow to that decision. The hon. and learned Gentleman, in speaking of the number of leaseholders, had paid a very bad compliment to the landlords of Ireland. He had said, that in the whole of Ireland there were not above 1,200 persons who had leases for twenty one years, of the value of 50*l.* He (Mr. Stanley) could not believe that such was the fact. But how would the Bill operate with respect to the extinction or diminution of the constituency? The hon. and learned Member had characterised the Bill as an insult to Ireland, as a disfranchising measure, and as a degradation. At present there were in the counties of cities, 17,711 voters, and under the Bill there would be 32,544 voters. In that number, certainly, were included the voters whose rights were preserved merely for their lives, but, after all reductions upon that account, the number would be about 26,000, and that the hon. and learned Member called an insult. Then what was the case with respect to the boroughs? There were twenty-one boroughs. At present their constituency amounted to 1,945, upwards of 1,000 of whom were non-residents. Under the Reform Bill at first it would be 9,216, and, after all deductions, 8,703; and that too was the effect of a Bill which the hon. and learned Member said was an insult to Ireland, a disfranchising Bill, and a degradation—a Bill to uphold the Orange ascendancy, and to keep alive discord and disunion. He could conceive, indeed, that there were persons who were desirous that the Bill should not pass; that there were individuals who wished to see the Bill rejected, for the purposes of keeping alive agitation; but he was quite sure that every real friend to Reform must be anxious to see the Bill pass, and must acknowledge that, if it did not go so far as they could have wished, it was a great and a beneficial change. The attacks of the hon. and learned Member upon the Government were indeed unbounded. When his noble friend (Lord Althorp) happened to be absent for a minute or two, during one of the long and discursive harangues of the hon. and learned Member, he complained that the interests of Ireland were neglected by the Government. And so, if this Bill should be rejected in either House, the hon. and learned Member would exclaim, "Oh, this is the way in which Ireland is treated by a British Parliament." But the hon. and learned Member said, give Ireland the same measure as England. Let the House see how that would operate. In England, a leasehold for twenty-one years, of the value of *50l.* a year, was necessary to give a county vote. In Ireland, a leasehold for fourteen years, of *20l.*, gave a county vote. The hon. and learned Member knew well why the time was reduced to fourteen years in Ireland. It was on account of the Church lands. In speaking of the conduct of the Government, the hon. and learned Member had indulged in some of his usual abuse. Of that, however, he should take no further notice. The hon. and learned Gentleman had said, that when the Tories were in power they supported the Orange party, and the Orange party supported them in return, but that the present Government had the support of no party. That the hon. and learned Member did not like, but he said to the Government, "Throw yourselves at once into the hands of myself and my friends, and we will assist you in keeping down the Tories." To that he said no. He would do no such thing; and if the hon. and learned Member expected any such conduct, he must look for it from others than the present Government. The hon. and learned Member did not attach much importance to the instruction, and indeed he concluded his speech, which applied as much to one point as to another, by proposing a different amendment from that which he had intended. The fact was, that the object the hon. and learned Member had in view was to find fault. If the franchise had been fixed at *5l.* he would have asked for one of *40s.*; if fixed at *40s.* he would have asked for one at *20s.* The object of the hon. and learned Member was not to render the measure perfect, but to unsettle men's minds, and to keep up agitation. He could not avoid, as the subject was forced on him by the remarks of the hon. and learned Gentleman, taking that opportunity to contrast the conduct of the Scotch Members, when discussing the details of the Bill introduced for the effecting of Reform in that country, with that of the Irish Members on the measure for Ireland. If there was any injustice in any of the three Reform Bills, it was to be found in the Scotch Bill, and yet it was received by the Members from that country, if not with satisfaction, at least with the utmost desire to render those details as beneficial as was, considering their principle, possible. But the object of the hon. and learned Gentleman was palpable. He desired to separate the two countries, and therefore indulged in inflammatory language. In this he (Mr. Stanley) would not follow him, for his wish on that subject did not coincide with that of the hon. and learned Gentleman. In conclusion he begged to say, he would firmly oppose the motion of the hon. and learned Gentleman.

Mr. *Hume* was sorry to hear that House made the theatre for the exhibition of so much ill will, and for the expression of so much personal abuse, as had fallen from the hon. Member and the right hon. Member. Such language was not consistent with the dignified character of that House. The right hon. Gentleman had alluded to statements made by the hon. Member elsewhere, and he regretted to say, that it had become too much the practice to take Members to task in that House, for opinions not uttered there. He would tell the right hon. Baronet who cheered him, that to do so was not parliamentary. The right hon. Gentleman had charged the hon. member for Kerry with agitating the country, and seeking to attain his objects by abuse of the Government. His hon. and learned friend stood forward in that House to redress his country's wrongs; and how was that to be done? How could it be done but by agitating and by abusing the Government? How could it be done but by agitation and the exhibition of physical force? [*"Oh, oh!" and cheers.*] Hon. Members might cheer ironically if they pleased, but in no country had abuses ever been corrected, or concessions to popular rights ever been extorted from corrupt Governments, except by the expression of discontent, and the demonstration of physical force on the part of the people. By that means, and by that means only, had Catholic emancipation been obtained. In fact, it was by such means alone that a people could obtain from the hands of power any extension of constitutional liberty. Agitation by some was termed unconstitutional, but it was only by those who would rule with a rod of iron. Would the people of England have secured the passing of the Reform Bill without displaying a readiness for the exertion of physical force? Certainly not. On every principle of the English Bill and of Reform, the people of Ireland were entitled to a larger share of Representation than the Bill for that country went to give. The population was in proportion greater; but, independent of that consideration, he thought the support which the Irish Members gave to the principles of the English Bill, entitled them in justice to the full benefit of the intention with which the whole nation claimed Reform in their Constitution. He warned the existing Government of England to pause before they persisted in carrying such a mockery of Reform for Ireland, as was comprised in the Bill then under their consideration. He warned them to consider of the support which that Bill was deriving from the declared opponents of all Reform, while, on the other hand, it was opposed by those who had throughout supported the English Bill, and who were anxious to support any thing that would produce a beneficial Reform in Ireland. But the Irish Members felt that the measure now proposed to them could not be satisfactory to their country, and they felt that it would not remove the grievances of which they had so much cause to complain. How, indeed, could a measure be satisfactory, which, in effect, would reduce the counties of Ireland to the condition of close boroughs—which would diminish the constituency to a mere nothing—which would change, but not extend, the elective franchise—which would pretend to do much, but, in fact, would do nothing? He called upon the House, therefore, to pause before it rejected the motion which his hon. and learned friend, the member for Kerry, had that night submitted to their attention. He hoped never to see the union between the two countries dissolved. Upon that point he differed entirely from his hon. and learned friend, the member for Kerry. He thought that his hon. and learned friend's views upon that subject were erroneously founded. But, if England withheld from Ireland those measures of justice which were undoubtedly due to her—if she refused to concede when concession was only justice, then indeed a repeal of the Union would become inevitable. He regretted the course lately pursued by the Government, and more particularly by the right hon. Secretary for Ireland, because it was in direct opposition to what the Ministers had formerly professed. It was, in fact, favouring one party at the expense of another. Look only at one clause of the Bill—that which gave two Members to the University of Dublin. It was an insult to Scotland to give the College of Dublin two Members, whilst the Scotch Colleges were not to have one: that was not supporting the principle of giving equal rights to all, but an evident desire to uphold one party against another. With regard to the qualification, the noble Lord, the member for Devon, said, on introducing the Bill, that his principle was not to give the franchise to any number of constituents below 300. How was that upholding the principle of the Bill? So far from upholding the principle, it was reducing the Representation in Ireland to the old Scotch scale. Was it fit that 8,000,000 people should only have 30,000 electors? Why, the county of Donegal with 230,000 people, would only have sixty-three electors. [Mr. *Stanley:* That is the present number of electors.] It was the number given by parliamentary returns; however, not to enter into details, he would ask, was even 100,000 electors enough for Ireland? Now, what he contended for, both on the noble Lord's principle and on the principle of justice, was, a sufficient number of voters to put an end to nomination of all descriptions. If there were not enough of 10*l.* freeholders to create a proper constituency, then reduce the qualification to 5*l.*, or even to 2*l.* Let Ireland be treated as the other two countries had been treated, and then agitation would cease. Let them do justice, and remove the cause of agitation. All he wanted was, to take the power of agitating the people out of the hands of his hon. and learned friend, and that could not be done but by granting the same redress to Ireland that had been granted to England. But that was not the case now, for the Attorney General for Ireland had, by his alteration in the Bill, supported the enemies of the people. It was with great reluctance that he opposed the noble Lord opposite, but he did it on conscientious principles, and he trusted the Government would not resist the prayer of England, Scotland, and Ireland, but grant equal justice to all. He felt persuaded that the Bill would not give satisfaction to the people of Ireland, and when the amendments were so trifling, he could not understand upon what ground the right hon. Gentleman opposite would refuse to concede what would conciliate the population of that country. All he was anxious for was, that the Bill should extend and diffuse the suffrages, so that there should be no longer any close boroughs, and so that the popular voice should be heard in that country. He was desirous that some means should be adopted to improve the Bill, and he should support the opinions he had uttered by his vote, if the House divided upon the subject.

Sir *Robert Peel* said, that the hon. Member who had spoken last had referred to the surprise which he had expressed at the doctrines the hon. Member had uttered in that House at the beginning of his speech; but he begged most strongly to assure the hon. member for Middlesex, that he had expressed no surprise whatever at his doctrines, for they were precisely the doctrines which he had expected to hear from such a quarter. He never had expressed his surprise, but he had expressed his indignation, his strongest indignation, at the intolerant and tyrannical doctrines which the hon. Member had advocated. What! was a public character at liberty to convey to the people out of doors, sentiments entirely different from those which he maintained in that House? Did the hon. Member mean that he, or any man, was entitled to use terms in addressing his constituents, and maintain principles with reference to the public transactions and Government of the country, which were exempt from observation within the walls of Parliament? He protested against any such doctrine. There was no principle, there were no opinions, relating to public affairs, which any public man could publicly maintain, that were not liable to be questioned in that House. He would merely cite the case of Mr. Burke, with reference to his publications upon the French Revolution. He would ask, if a Member who differed from Mr. Burke would have been irregular, or unjustifiable, in calling in question the written and published opinions on public affairs of a man so prominent as Mr. Burke? If that were not to be done, according to the hon. member for Middlesex, he would beg him to lay down at once his new forms for regulating the proceedings of Parliament. The hon. Member's notion was, that he might come down to the House with oily professions of peace and moderation, whilst he was agitating the multitude out of doors with inflammatory statements and evil counsels, for which he must not be questioned in Parliament. He protested in the strongest manner against such an assumption of impunity. He would tell the member for Middlesex, that if he maintained at Brentford doctrines by which the peace or interests of the country were injured, he (Sir Robert Peel) would insist on the right to notice them in the House of Commons. What was the language which the hon. Gentleman used to that House?—"You have passed the English Reform Bill, you have consented to the principles of the Irish Reform Bill, but there is a trifling question about a particular franchise on which you refuse to give way." This was the language of the hon. member for Middlesex; and then he had the audacity, the unparalleled audacity, to tell the House, that if it did not give way upon this trifling point, he would control its deliberations by physical force. He would tell the hon. Member, that he for one never would submit to this menace of physical force. As long as he could, he would use every effort to resist its influence, feeble and ineffectual as those efforts might be. What! was physical force to be used against the House of Commons to compel it to pass a 5*l.* franchise clause? Why should not the holders of a 2*l.* franchise equally appeal to physical force; and when they had succeeded why should not the more powerful party, who had no franchise at all, wield the successful instrument of physical force? The hon. Member had said, that the learned member for Kerry had used physical force in carrying the Catholic Question. The hon. Member was a most clumsy advocate of the cause which he wished to defend; for the member for Kerry's chief boast was, that without the exercise of physical force, the Irish extorted from a reluctant Government the Emancipation Bill, and that equally by legal means had the people of England carried the measure of Reform. But the hon. member for Middlesex had asserted that the present Ministers had carried the Reform Bill by physical force and violence. He was astonished that the hon. Member could pronounce such a libel upon his friends and supporters out of doors, who all gloried in what they called a bloodless revolution, effected only by the force of reason and justice. To subject the House on any occasion to the threat of physical force, was nothing less than a vile and degrading tyranny, and it would be better at once to constitute a mob-committee, to sit (he would not say to deliberate) from day to day, and to issue its mandates to be executed by the Ministers of its choice, than that the House of Commons should permit itself to be influenced by the menaces of force and violence. He (Sir Robert Peel) would not sit in that House to hear its functions thus treated, particularly now that the House had consented to the measure, which, it had been told, was to be the end and extinction of all such doctrines. He would never sit there calmly to hear principles asserted that were fatal to all government, and utterly subversive of the peace of society. If the people of England believed that the doctrine of compelling the decisions of the Legislature by force could ever be for their interest, they were wretchedly deceived. Let them look to other countries, and see in what triumphs did physical force terminate. Let them see if it promoted the interests of the people, or if it conduced either to personal liberty or to the liberty of the Press. Let them ascertain whether, in a neighbouring nation, an appeal to physical force, even in a just cause, had led to any beneficial results. Could any man sit and hear it maintained, that in England the House of Commons was not competent to decide a question of the nature of that now before it, without being overpowered by physical force—such physical force, he supposed, as that which had just insulted the Duke of Wellington. Were the deliberations of this House to be thus controlled, he for one would never consent to participate in the mockery of legislation, when he knew himself to be under the influence of such a tyranny as that with which they had been menaced by the member for Middlesex.

Mr. *Hume* explained. The hon. Baronet had entirely mistaken him, all he had said was, that no government had ever yielded anything to the people without the dread of physical force, and this he would repeat. He would tell the right hon. Baronet, that he had audacity enough—

The *Speaker* wished the hon. Member would confine himself strictly to his privilege of explanation.

Mr. *Hume* had never made use of any expression out of that House which he was not prepared and willing to repeat within it. He had alluded only to the practice of bringing forward private disputes and quarrels.

Sir *John Newport* regretted these intemperate discussions, and meant to take no part in them. He certainly objected to the registration, but he had reason to hope that every facility would in future be given to the registration of freeholders. In his view, the great merit of the Bill before the House was, that it destroyed nomination boroughs, and had it contained no other provision, he should have gladly embraced it; but it seemed to him that the communications of the right of voting on account of a 10*l.* chattel interest, was of itself a considerable gain. He earnestly hoped that the Bill would not be procrastinated by useless discussions, until its effects in Ireland were materially injured. If it did not go the whole length that he wished, it went a considerable way on the right road. He had now passed half a century in the public service, thirty years of it in the United Parliament, and it rejoiced him to think that he had never done an act, or given a vote, that did not show he had the interests of Ireland at heart. His retirement from public life would now be speedy, and as his last declaration, he might perhaps, be allowed to say, that now, as on every other occasion, he had the peace and tranquillity of his country only in view.

Mr. *Crampton* begged to assure the House that it was not his intention to touch upon any other subject than that strictly before it—the motion for an instruction to the Committee. On that instruction he should trouble the House with but one argument, and address that distinctly and emphatically to the hon. member for Middlesex, who was on many subjects a great luminary in the House, but who shone, on that occasion, with only a borrowed lustre. He had taken his information, his calculations, and his deductions entirely from the hon. and learned member for Kerry. But a Bill was introduced by the right hon. Secretary for Ireland, on the 24th of March, 1831: and that Bill was, with respect to the qualification of the freeholders in counties in Ireland, precisely the same as that which was then before the House. He would pledge himself to the fact. On the 24th of March, 1831, the hon. and learned member for Kerry rose in his place, and expressed to the House his satisfaction at the Bill, which, he was sure, would give great pleasure to the people of Ireland. The freehold franchise contained in that Bill was precisely the same as that which was to be established —10*l.* The hon. and learned Gentleman said, 'There were some of the details of 'the Bill to which perhaps, he should not 'assent, and which, perhaps, the right hon. 'Gentleman would make no objection to 'alter in the Committee, if they did not 'interfere with the principle of the Bill. 'He was happy to hear, that non-resi-'dents were to be disfranchised.'* The hon. and learned Gentleman had changed his mind upon that point. [Mr. O'Connell: No.] The hon. and learned Gentleman proceeded thus:—'He was happy 'also, to hear that the Corporations were 'no longer to return the Members; and 'he wished that the disfranchisement had 'been extended further, and that the right 'of electing the Corporation officers had 'been extended to all the inhabitants.' Then came the passage to which he wished to call the attention of the hon. member for Middlesex. 'As he under-'stood the present measure, the 40*s.* free-'holders, being resident in towns, were 'not to be deprived of the franchise during 'their lives. He was glad of that, and 'approved of the plan laid down for voting 'in the counties.' What was that plan? The 10*l.* franchise. [Mr. *O'Connell* No! no!] The hon. and learned Gentleman said, no. He would not venture to contradict the hon. and learned Gentleman, but by repeating his own words—but his own words gave a flat and direct contradiction to his "No, no!" Well, the hon. and learned Gentleman approved of the plan, because, he said, there was a prospect of forming a better class of freeholders and of voters. He approved, said the hon. and learned Gentleman "of the sum of 10*l.* being chosen as the point of exclusion." And why? "Being of opinion that freeholds under that sum should not entitle the owners to a vote."† There were other parts of the speech of the hon. and learned Gentleman upon that occasion which were deserving of the consideration of the hon. member for Middlesex; and he would find in this speech materials for changing his opinions upon this subject. What was the present opinion of the hon. and learned member for Kerry? That the 10*l.* freehold qualification was too high, and that it ought to be reduced to 5*l.* He asked the hon. and learned Gentleman, what was his opinion on the 24th of March, 1831? Had the hon. and learned Member been misrepresented. [Mr. *O'Connell*—Entirely.] Would the hon. and learned Gentleman say that he had been misreported in the *Mirror of Parliament*, as well as in *Hansard's Parliamentary Debates*? Had he been misreported in every record of the debates of that House? Had he been misreported in the recollection of hon. Gentlemen who heard him make the speech in question? He heard the hon. and learned Gentleman, and he would freely own, that his impression, corroborated by the records he had referred to, was the same. The hon. and learned Gentleman could not deny this statement; and he hoped that the hon. and learned Gentleman would explain why he had so completely changed his opinions—why he then applauded the 10*l.* franchise, and now proposed that it should be reduced to 5*l*? Let the hon. and learned Gentleman answer himself, and reconcile "the glorious inconsistency, as he perhaps might call it, if he could. All the arguments of the hon. member for Middlesex had been founded upon the confusion which the hon. member for Kerry had made between the number of freeholders and the number of registered freeholders, for he had stated that the number of registered freeholders was the total number in Ireland, whereas, it did not amount to one-tenth. In 1825, the hon. and learned Gentleman had deemed it right to sacrifice the 40*s.* freeholders, for the sake of carrying a great measure. In 1829 he was in favour of the 40s. freeholders, and in 1831 once more against them. He contended that it had of late years been the policy of landlords in Ireland, not to allow freeholders on their estates to register, and the effect had been, that at the present moment not more than perhaps one-tenth of the freeholders were registered. Notwithstanding all that had been said of the greater favour shown to Scotland, the fact was, that, after the passing of the two Reform bills, Scotland would have, in proportion to her wealth and population, a much less extensive constituency than Ireland.

Mr. *O'Connell* hoped, although not quite regular in rising, that the House would allow him to trespass on its attention one moment, for the purpose of explanation; for no man ever yet misrepresented another so completely and entirely as the hon. and learned Gentleman had misrepresented him. The hon. and learned Gentleman said, that the people of Ireland ought to be made acquainted with the change which had taken place in his opinions. He would tell the hon. and learned Gentleman that he would put in the Irish newspapers the hon. and learned Gentleman's assertion, and his contradiction. The hon. and learned Gentleman said, he remembered what he (Mr. O'Connell) said, but the report to which the hon. and learned Gentleman referred was entirely a mistake. There was not one word in the Bill to which the hon. and learned Gentleman referred about a 10*l.* freehold franchise —not a word—not one single word of the pre-existing 10*l.* franchise. It was entirely impossible that he could have said what the hon. and learned Gentleman imputed to him. No one could be more perfectly a false witness against him than the hon. and learned Gentleman had been. He was ready to declare upon oath, that he had never used the words attributed to him. Had he done so, he would have retracted his own retractation. He should be able to show, from the letters which he had written to Ireland, and which had been published, that the charge was brought against him in an entire abandonment of truth.

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* Hansard (third series) vol. iii. p. 868.

† Ibid.

The *Speaker* requested the hon. Member to call to mind the words which had just now escaped him.

Mr. *O'Connell:* Is not falsity a parliamentary term?

The *Speaker* said, that nothing was parliamentary which gave personal offence to any Member of that House.

Mr. *O'Connell* would only say, then, that the hon. and learned Solicitor General for Ireland had made a mistake.

The *Speaker* trusted that the hon. and learned Gentleman would see the necessity of making a more satisfactory explanation of the language which he had used.

Mr. *O'Connell* said, that the reporters to whose accounts of his speech the hon. and learned Gentleman (Mr. Crampton) had referred, had, through mistake, represented him to speak of 10*l.* freeholders, when, in fact, he was speaking of the 10*l.* chattel franchise.

Mr. *Crampton* said, that the hon. and learned member for Kerry had charged him with saying that which was false.

Mr. *O'Connell:* I did not say false; that was not the word I used.

Mr. *Crampton* had made his assertion upon the faith of a public record, confirmed by other records, and by his own recollection. Now, however, the hon. and learned Gentleman was pleased to contradict him. He would always be willing to defer his confidence in his memory to the assertions of an hon. Gentleman who wished to correct its inaccuracy, but in the present instance he did not feel that he ought to do anything of the sort. He would appeal to the House against the language which had been used by the hon. and learned Member. The hon. and learned Member stood in a position which would prevent him (Mr. Crampton) from applying to him for a satisfactory explanation of his language, in the manner in which applications were generally made by gentlemen to whom language so offensive had been addressed. He wished not to be mistaken. He did not mean to say, that if the hon. and learned Member had not placed himself in the position to which he had alluded, he would have noticed the words applied to him, any further than to protest against the violation of the order of Parliament, and the common usages of society, by the use of ungentlemanly language.

Mr. *O'Connell* was understood to say, that he had no intention to give personal offence by anything which he had said. He had understood the hon. Member not to refer to the records of the House, but to state his own impressions; he was glad to find that he was mistaken.

An *Hon. Member* said, that the statement which had been made by the hon. and learned member for Kerry, respecting the number of the freeholders in one county of Ireland, was inaccurate. A much greater number than that stated by the hon. Member had polled at the last election.

Mr. *O'Connell* had taken the numbers which he stated from returns which lay upon the Table of the House.

Mr. *Leader* thought it was quite unworthy of those who chose to enter the lists with his hon. friend, the member for Kerry, to endeavour to divert the Debate from the great question he so justly raised on the amount of the qualification of the future constituency, to some supposed error in official returns, for which his hon. friend was not in the smallest degree responsible. Of what importance was it whether his hon. friend was right or wrong in his enumeration of the electors who were qualified to vote in Donegal? If his hon. friend was mistaken in the numbers, the error was in the official returns; but, on the main question of the miserable state to which Ireland was reduced, and the wretched constituency which it now had, and was certain of retaining under the present Bill, the observations of the hon. member for Kerry were not only unanswered, but unanswerable. It had been objected to his hon. friend, that he entertained very different opinions with regard to the qualification of the Irish constituency on this night to what he expressed in a former debate. His hon. friend had fully explained the error of the book from which the extract was read, and it was quite obvious that the Solicitor General for Ireland was deceived, as well as the hon. member for Kerry, in supposing him to allude to freehold qualification, when he was only referring to chattel interests. He, for one, protested against those differences, which appeared to him of very minor importance. He would turn from them to the great question now before the House, and to what he had every right to refer; namely, the preamble of the Bill, now that the first section of the Irish Reform Bill was the immediate subject of debate. The preamble of the Bill consisted of three recitals—that it was expedient, 1st, to extend the elective franchise in Ireland; 2nd, to increase the number of Representatives for certain cities and boroughs; 3rd, to diminish the expenses of elections. Undoubtedly, with this most important preamble, every one would be led to suppose that great advantages were about to be conferred on Ireland, and that, in return for the many injuries she had sustained from British misrule, Ireland was at length about to obtain a signal benefit from British wisdom and liberality. Unfortunately, however, the enactments of the Bill fell lamentably short of the expectations raised by the pompous recital with which it was introduced to public consideration and attention. With the indulgence of the House, he should make a very few observations on the last two subjects in the preamble, and detain it very shortly in stating what occurred to him as proper for observation on the first object of the preamble, and under which the motion of the hon. member for Kerry properly fell. He denied that the Bill even proposed to guard the candidate from the great expenses attendant on elections—he saw in it no new economical arrangement whatever: there was a limitation as to the time of polling, but he doubted whether this limitation of time might not lead to redoubled exertion to bring up voters, and to an increase, instead of the smallest reduction, of expense. He had no reason to complain of election extortion—but would any one deny that public officers and other persons had not an unjust dominion over candidates, and that the entire conduct of returning officers, assessors, &c. &c. was not such as to require revision, and a reform which was not contemplated by the present Act? So much for that part of the preamble which alluded to the diminution of expense at elections, and he came next to the increase of the number of Representatives. Instead of a delusive expectation, he should prefer a recital of the fact, that an additional Representative was to be given to Limerick, Waterford, Belfast, Galway, and the University of Dublin. On the ground of additional Representatives, the hope which the preamble excited had fallen miserably short of the expectation which the greatest enemy to Ireland could have imagined or supposed; and the Bill, in this respect, fell very far below what the people of Ireland had a right to expect at the hands of a Government which had received from that people, and from their Representatives in Parliament, an honest, a laborious, and an efficient support, to carry that measure of Reform which had given great satisfaction to the people of England. He knew that, if the Government had overlooked the value and importance of that support, it never would or could be overlooked or forgotten by the people of England. Whatever indecision or balancing of interests was to be found in any other quarter, would any Gentleman rise in his place and say, that a single Irish Member, on a single occasion, whilst the English and Scotch Reform Bills were in progress, murmured a sentiment, or was guilty of a single act, which exposed those measures to the smallest danger in their ultimate success? He had always contended that an immense portion, particularly of the south and west parts of Ireland, had no Representation, but a mere county Representation—that it was the advantage of England, as well as Ireland, that Representation should shoot its branches into great districts of the country where its importance was never known, and where the introduction would be unquestionably attended with the most beneficial results. An hon. Gentleman, the member for St. Germains, had that night engaged in what he might have supposed mathematical demonstrations of what he termed the imperfect deductions of his hon. friend, the member for Kerry, with respect to the right of Ireland to a greater number of Representatives: the hon. Gentleman objected to the data of his hon. friend; he had furnished nothing of his own. Did the hon. Gentleman deny the facts; did he dispute the amount of population, revenue, trade, or any of the data on which the conclusions were drawn? It was quite consistent, not only in that hon. Gentleman, but in those hon. Gentlemen of both sides of the House who would admit everything to be a fair subject for ratiocination as applicable to different parts of England, to refuse it the smallest consideration when the same test was applied to England and Ireland—every test was right which tried relative interests of different parts of England; but every test was wrong, positively wrong, in which an attempt was made to represent the elements on which the relative interests of Great Britain and Ireland ought to be judged. In all the former Debates, when the principle of the Irish Reform Bill was before the House, he had contributed his humble assistance in support of the expediency as well as the justice of a further increase in the Irish Representation. It was idle for the Representatives of Ireland to endeavour to stand forward as the supporters of an existing connexion in that House, if the acts of the House were not such as to convince the people of Ireland of its value and importance. Whilst there were twenty-six Members in bank undisposed of he admitted that there was every inducement to support, by argument and by proof, the justice of the claim of Ireland for a portion of those Members: many thought that the concession of additional Members would be the means of detaching from the anti-Unionists a great portion of their present supporters. It was idle for the Representatives of a country, when they had no influence or weight in the councils of the country, and when in the House they experienced neither sympathy nor support, to be expected to oppose a feeble barrier to the overwhelming tide of public opinion. His opinion was unchanged on the subject of additional Members, and he should support every proposition for an increase, or for taking the Representation from places where it ought not to exist, on account of the smallness of the constituency, and transferring it to places of greater commercial importance, population and wealth: and having disposed of these recitals in the preamble of the Bill, and exposed the arguments and the facts which were brought forward in support of them, he came to the most important part of the preamble—the expediency of extending the elective franchise to many of his Majesty's subjects in Ireland. It was known that the elective franchise was heretofore confined to freeholders of different degrees, in counties to *50l.*, and *20l.*, and freeholders in occupation to the value of *10l.*, and in cities to *40s.*, and *5l.* in towns. The extension which was proposed was, first, to any person who should be entitled as lessee, or assignee, for the unexpired residue of any term, not less than sixty years, of the clear yearly value of *10l.*; secondly, for the unexpired residue of any term, originally created for a period of not less than fourteen years, of the clear yearly value of *20l.* As to the first class, this extension was nothing short of a delusion—a delusion which would induce the House to suppose, that what might be called a constituency would be created, when in truth, with the exception of, probably, 100 or 200 electors in one or two counties, no such tenure existed, or ever did exist in Ireland, to such an extent as to deserve the pompous announcement in the preamble of the Bill, of the expediency of extending the elective franchise to his Majesty's subjects in Ireland. He denied that this franchise was of importance to Ireland; and, in his opinion, it was caught at for the purpose of giving colour to the preamble, and as an after-thought, and, with the exception of one of the hon. members for Armagh, was never looked for by any Irish Representative. As to the leaseholders for the residue of a fourteen years' term, the qualification was too high. He defied any man, acquainted with the state of Ireland, to produce a class of occupying tenants of the clear yearly value of not less than *20l.*, over and above all rent and charges. Would any one say that the holders of church lands gave such encouraging profits on their discouraging leases? Would any man say, that middlemen, ruined by the reduction of prices, could afford such a profit to their tenantry? Would any one allege that the neglected and unreclaimed nature of the entire mass of church property, and chattel property, be it church, collegiate, corporate, or anything else, would admit of so high a rate of profit? This proposed qualification would never admit the creation of a constituency, and the fancied benefit would be just as delusive in the instance of leaseholders of fourteen years for 20*l.*, as of 10*l.* in the instances of leaseholders for towns, originally created for sixty years. Now, what were the facts, and why was it that he had not a particle of doubt in supporting every motion which was made, or might be made, for extending the elective franchise in Ireland, and reducing the present amount of the qualification of the voters? Every one knew that the Act passed in the Irish Parliament, in the 33rd of Henry 8th, provided that every elector within counties should have lands or tenements at least to the yearly value of 40*s.*, above all charges; and that this law, so enacted, remained the law of election in Ireland, and that, under its provisions, the Members for counties were returned for a period of 277 years, at the end of which time, in 1829, an Act was passed, raising the qualification of freeholders in counties from 40*s.* to 10*l.*; would any one say, that such a constituency was created under the 10*l.* qualification as deserved the name of a constituency? It was admitted on all hands, that 20,000 10*l.* electors were now the substitute for 191,000 disfranchised freeholders; and why was this the case? It was because the collectors of the produce of the lands in Ireland were not the distributors of wealth in Ireland; it was because they collected the hard earnings of Irish peasants, and distributed them in Great Britain; it was because no stock of national wealth was allowed to accumulate; because the entire country exhibited a melancholy picture of rack-rent, and greedy and remorseless cupidity. The indigent circumstances of the producers of income in Ireland—the tenantry—shewed the minimum of distribution from the cultivation of the land, and the production of rents; and the absentee system, as far as it extended, gave the minimum of distribution arising out of the receipt of them. Taking these circumstances into consideration, it was soon discovered, that when the absentee left the country, he could leave nothing behind him to stimulate industry, or animate improvement. Nothing else was wanting to account for the small number of qualified freeholders of 10*l.*, but the misery which was induced by the enormous aggregate of exported income, and the slender resources of the agricultural population: on those grounds he had voted for the extension of the franchise to 40*s.* freeholders in fee, and on those grounds he should give his hearty assent to the reducing the franchise to 5*l.*, and for every measure calculated to extend the constituency, whether the peasantry derived under freehold property or chattel interests. His sole motive was, to make them shareholders in the connexion with this country; and he must leave to time to decide whether, in pursuing this course, he was not more likely to prove a better friend to the Church and the absentee landed proprietor, than if he supported a rancorous spirit of jealousy to the people, or was the unflinching defender of monopoly in everything which regarded the rights of mankind. Having shown that the elective franchise was not extended—that the increase of Representation was inadequate—and that no abuses in elections were corrected by the Bill, the present was the time in which he was called on to deliver a few words on the other parts of the Bill. He had heard his right hon. friend, the member for Waterford, with that delight and respect with which he heard every sentiment that hon. Gentleman expressed towards his country, declare that it was the intention of his Majesty's Ministers to make some change in the registry of the freeholders. If his Majesty's Ministers were attached to this Irish registry being carried on by the instrumentality of Assistant Barristers, what was there to prevent the having the Irish registry carried on before these gentlemen in the same manner as was proposed for registering voters in England? Was it prudent or wise to leave a subject open for petition and debate in the next, which might be satisfactorily settled in the present Session? His hon. friend, the member for Kerry, had not left a word to be said on this part of the Bill; those who knew the state of parties in Ireland, and the state of the country, knew the vast importance of this power of registry being intrusted to discreet hands, and to persons responsible, as in England, for every abuse of their authority. There was only one other topic to which he should refer, and which he considered of great magnitude and importance—he meant this question of the boundary of boroughs. He objected to the entire system; he never could look with patience to handing over the settlement of questions of local franchises to navy officers and officers of engineers. It was a constant habit of his to be guided, as much as he could by the wisdom and experience of qualified persons or public bodies on the spot, and to be governed as much as possible by their opinions and suggestions. On the 4th of March, 1794, the late Lord Ponsonby, seconded by Mr. Connolly, brought forward, in the Irish Parliament, "a Bill for amending and improving the state of the Representation of the people in Parliament." In that Bill it was stated, that the enlarging the districts of the several cities and boroughs in Ireland would tend to render the elections of citizens and burgesses more free and independent; and it then enacted that a space, or distance, of four miles should be drawn to be measured by a line to be drawn from some one place within the city, or borough, or town, as near the centre of the present site as possible, and to extend in every direction, to a distance of four miles from the said place; it provided that where a city, borough, or town, should be so situate, as that a line of four miles could not be conveniently drawn, by reason of another city or borough, or by reason of the proximity of the sea, then a district should be measured from the most central place, so as to have a district equal to twenty-four miles in circumference. The Bill then proceeded to show the manner in which this arrangement was to be carried into immediate execution by the Sheriff and a Jury of freeholders, furnished every requisite in a few paragraphs, and the compensation for the completing the work. In this system of the Irish Parliament, neither the Navy Board or Ordnance were consulted; there were no mathematics—no subtleties—no inquiring whether the creation of this boundary would serve my Lord Duke, or another line my Lord Marquess; the simple consideration was, how an honest and independent constituency was to be created in the cities, boroughs, and towns, and how it was most likely to extract out of this mass of the people of Ireland 300 honest and capable Representatives, who should know what was best to be done in the Irish Parliament for the people, and what would content and satisfy the people. Under all these circumstances he was very much indisposed to entertain the new reformed theories of narrowing and contracting the limits of open towns or nomination boroughs. Our ancestors were not so absurd. Wealth and population originally chose Representatives; and close boroughs originated not in our ancient Constitution, but in subsequent provisions of it, in the decay of time and the abuses of prerogative. A small extension of franchise in these towns would be idle and unavailing, and—as was well said by the proposer of the Bill to which he had alluded—would be an innovation without effect, and a mere transfer of influence without an extension of freedom. He had thought it his duty to make these observations on the Bill, and, as he was entitled to do, he had availed himself of the debate which had been created on the first clause of the Bill, for not only stating his objections to the amount of the qualification of the voters—which he was convinced was too high to give satisfaction to the people of Ireland—but also to lay before the House such an opinion as, founded on local knowledge and experience, he conscientiously entertained on the whole of this important measure.

Mr. *Hunt* said, that he had been hooted and ridiculed in that House for declaring the Reform Bills for England, Scotland, and Ireland, would fall short of giving satisfaction to the people. But now, the very persons who had taxed him with inconsistency came forward denouncing the Irish Bill as a delusion. If the hon. and learned member for Kerry chose to divide the House upon the question of the 40*s.* franchise, he (Mr. Hunt) would again divide with him; it would be very inconsistent if he, an advocate for Universal Suffrage, should not support the proposed amendment.

The House divided on the Amendment:—Ayes 44; Noes 177; Majority 133.

List of the AYES.

Bainbridge, T.
Blackney, W.
Bodkin, W.
Brooke, Sir J.
Bulwer, H. L.
Callaghan, D.
Chapman, J.
Davies, Colonel
Doyle, Sir J. M.
Ellis, W.
Fitzgibbon, Hon. R.
French, A.
Godson, R.
Gisborne, R.
Grattan, J.
Grattan, H.
Harvey, D. W.
Howard, P.
Hume, J.
Hunt, H.
Hughes, Colonel
Jephson, D. O.
King, E. K.
Lambert, H.
Lambert, J.
Macnamara, W.
Musgrove, Sir E.
Mullins, F.
O'Connor, Don
O'Ferrall, R. M.
Payne, Sir P.
Phillips C. M.
Power, R.
Ruthven, E.
Sheil, R. L.
Tomes, J.
Vincent, Sir F.
Wallace, T.
Walker, R. R.
Williams, A. W.
White, H.
Wilks, J.
Wood, Alderman
Wyse, T.

TELLERS.

O'Connell, D.
Leader, N. P.

House in Committee.

On the first clause of the Bill being read, relative to the right of voting in counties,

Mr. *O'Connell* moved an amendment, for the purpose of substituting the words "ten pounds" for "twenty pounds;" so as to give the franchise to persons possessed of a term of years, with a clear profit of 10*l.* per annum. As he was upon his legs, he would take that opportunity of telling the right hon. Secretary opposite, that the language which he (Mr. O'Connell) had used was not unprovoked. The right hon. Gentleman should recollect, that he was Secretary for Ireland when common thief-takers were sent to his (Mr. O'Connell's) house, to drag him from the bosom of his family; a discourtesy, which, he would venture to say, was never before shown to any gentleman in his situation, charged only with a bailable offence; and the right hon. Gentleman should also remember that pains were taken to pack the Jury who had to try him.

Mr. *Dominick Browne* conceived the object of the Bill to be, the establishment of an independent constituency in Ireland, which object would certainly be effected in a great degree by the details of the measure. The county constituency of Ireland was much more independent than the House would suppose it to be from the statement of the hon. and learned member for Kerry. When the 40*s.* freeholders possessed the franchise, the county of Mayo contained 25,000 voters, and now contained only 900. Under the former system, four individuals could, by combination, return the two Members, but at the present moment he believed it to be impossible for any combination of men to procure the return of a single Member against the wish of the freeholders. At the same time he wished it to be understood, that he desired to extend the number of freeholders in Ireland as much as possible, according to the principle of the English Bill. In a subsequent stage of the proceedings he would propose that no lease should constitute a freehold, of which the life at the time of the granting of the lease should not be under sixty years old. This would secure to the freeholder a lease of about seven or eight years' value. He was perfectly satisfied, that a lease of seven years value would be found to be the best tenure for the tenant.

Amendment withdrawn.

The Committee having reached the 16th line of the clause,

Mr. *Mullins* rose to move the following Amendment:—"That persons possessed of an estate in lands or tenements, whether for a freehold term or a term of years not less than nineteen from the commencement, who are subject, *bona fide*, to a rent of at least 30*l.* per annum for said lands or tenements, and occupy the same, shall be entitled to vote at the election of Members for counties;" secondly, the substitution of the word "ten" for "twenty;" and thirdly, the addition to said clause, of a proviso to the following effect:—"That the lessee claiming to register shall not be disqualified by reason of any abatement made by the lessor, of the amount of rent payable by said lessee for the lands or tenements out of which he shall so claim to register, provided such abatement be granted by written agreement, for a term of not less than seven years, and that said lands or tenements shall be to said lessee, after such abatement as aforesaid, of the clear yearly value of 10*l.* at the least, over and above all rent and charges, except as before excepted, payable out of the same." He assured the House, that he would trespass as shortly as possible on their time and attention. He might say with truth, that he had devoted much consideration to the various provisions of the Irish Reform measure, and the more he considered these provisions, the more had he been struck by their utter inadequacy to meet the wants and wishes of the Irish people, as well as by their insufficiency to answer the professed objects of efficient Parliamentary Reform, which he understood to be the destruction of all undue influence, wherever exercised—together with the extension of the elective franchise to a sufficient number of those whose interests, whether commercial, agricultural, or manufacturing, the Commons House of Parliament ought fully and faithfully to represent. That these important objects would be attained by the great measure that had lately passed into a law, no person acquainted with its details for one moment entertained a doubt, but he would ask, what had Ireland done to render her unworthy of similar advantages? Why was it that her equality with England was recognised on all hands in theory, and denied in practice? for he would assert, without fear of contradiction, that that equality was denied the moment that, in the extension of Reform, or any other general and beneficial measure, Ireland was refused advantages as ample and conciliatory as those conferred upon the sister country. It was the full conviction he entertained of the great injustice with which Ireland was threatened on the present occasion that induced him to make this Motion. In doing so, he was actuated alone by a sincere desire to see his countrymen in possession of as great advantages from their Reform measure as he confidently anticipated from the English one—more than these advantages he did not desire—more, it would be unjust and unfair to demand—but if Ireland was really and *bona fide* a portion of the British empire—if she was acknowledged by every man to be that which he was proud to say she ever had been, and ever would be, the right arm of England, whether in times of war or peace, in periods of difficulty or hours of danger, surely no man in that House would be so unwise, he would say so prejudiced, as to assert that such a country was not entitled to advantages and benefits fully equal to those of which the smallest county in Great Britain partook in common with the largest. Acting upon such principles, when he came to consider the Bill before the House he perceived, amidst its various imperfections and inconsistencies, this leading one, that in the extension of the franchise in counties, Ireland was treated most unfairly when compared with England, for in English counties he saw thousands enfranchised, who at no previous period had enjoyed such a privilege, whereas in Irish counties the extension was little better than a name—nay, in many instances, it had the very opposite effect to that proposed by the English measure, inasmuch as it positively diminished the independent and popular portion of the present county constituency, whereas in this country the same class was enormously increased. This glaring injustice he was anxious to obviate in some degree, and thus prevent the unpleasant consequences which he could not but anticipate from the disappointment likely to be experienced by the Irish people, should this Bill pass into a law without any material amendment. He was desirous, therefore, of obtaining a class of voters for counties, whose qualification should be as nearly as possible equivalent to that of two enfranchised classes in England, the 10*l.* freeholder and the 50*l.* tenant-at-will. With this view he assumed that a rent of 30*l.* a-year, with occupation, and upon a lease of at least nineteen years from the commencement, would produce as independent and substantial a voter as the first of the classes to which he had alluded, and an equally substantial, and much more independent, voter than the second. The proceeds of this assumption he would now, as briefly as possible, detail to the House; but before doing so he trusted hon. Members would bear in mind, that in seeking such an extension of the franchise in Irish counties, he only sought in part, that which a large majority of Irish Members secured for England by their undeviating attendance on every division connected with that question. He only sought that which the registered opinions of a vast majority of English Members pronounced indispensable for efficient and satisfactory Reform. He would now call the right hon. Secretary's attention to what he was sure would be acknowledged by every hon. Member in that House, who was in any degree acquainted with the value of land in Ireland, and which formed the groundwork of his first argument in favour of the proposed qualification—namely, that the average annual rent per acre in that country did not exceed 1*l.* 10*s.*; a tenant, therefore, paying a *bona fide* rent of 30*l.* a-year would be in possession of twenty acres of land; in which he was sure it would be readily conceded that such tenant had a beneficial interest of 7*l.* a-year at the very lowest calculation. But 7*l.* in Ireland, considering the great difference in value of the various articles of consumption, was fully equivalent to 10*l.* in England; he claimed, therefore, the proposed qualification for Irish counties, on the principle, that for the reason assigned, a 30*l.* occupier, rent-payer, on a lease of nineteen years at least, was as fully entitled to the elective franchise in Ireland as the 10*l.* freeholder in England, who was not obliged to occupy. But, strong as this argument was, he claimed the proposed qualification on still higher grounds; he claimed it because he would assert, without fear of contradiction, that it was far superior to the 50*l.* qualification of the tenant-at-will; for in the one case, though the annual rent was greater, the certainty of the term in the other more than counterbalanced the actual difference between the two rents, which was in reality not more than 5*l.* a-year; 35*l.* in this case bearing the same proportion to 50*l.* that 7*l.* did to 10*l.* in the former, and it must be allowed to be much more respectable when the independence of the leaseholder of nineteen years, together with his freedom from undue influence on the part of the landlord, was contrasted with the dependence and crouching servility of the tenant-at-will. But the right hon. Gentleman had himself furnished him with an excellent argument and precedent in favour of the claim now made, for if hon. Members would refer to the copy of the Irish Bill, ordered to be printed on the 30th of June, 1831, they would find in the first clause "that leaseholders for a term not less than nineteen years from the commencement, and who were *bona fide* rent-payers of 50*l.* a-year, or who could make the rent, through the instrumentality of a fine equivalent to 50*l.*" were proposed to be enfranchised. The principle on which he went was here recognised. It might be said, that in this case the qualification was much higher than that now proposed; but it should be remembered, that the clause which gave this franchise imposed no necessity of occupation, therefore, there was but little real difference between the right hon. Secretary's former proposition and the present proposition. It might be asserted, that such a qualification had not been admitted into the present Bill, but such an objection could not affect his r-gument. He could not answer for the right hon. Gentleman's inconsistency. It sufficed for his purpose, that the principle had been at one period acknowledged, and apparently after much deliberation and reflection. The edition in which it appeared was the second of the Irish Bill; here it was well worthy of remark, that instead of treading in the footsteps of the great measure that preceded it, which it was natural to conclude it would, the Irish measure retrograded as the other advanced, and in proportion as the one gained in efficiency, the other lost. In fact, the plan that appeared to him to be now adopted was this—to give the Irish provisional equality, where that equality had the effect of limiting the franchise, and denying it where the franchise was likely to be extended. He really could not conceive, and he called upon the right hon. Secretary to inform him, why, acting upon any principle of equity or justice, if, in the Irish measure equalization was preserved on points where it tended to narrow the privileges of the people? Ireland should not be made equal on points where that equalization tended to extend them. In proof of the existence of the former principle, he would just cite a few examples, which he thought would convince the House, that there existed just grounds of complaint. In the following ten places the number of electors would be considerably diminished;—namely, Carrickfergus, Drogheda, Galway, Kilkenny, Limerick, Wexford, Downpatrick, Newry, Dungarvan, and Mallow. Under all these circumstances, he felt no hesitation in asserting, in the first place, that great injustice was meditated against Ireland; and, secondly, that the qualification he proposed, for the purpose of, in in some degree, remedying the evil was as just in principle as any of the leading provisions of the English measure, and demanded the unqualified approbation and support of every man who had given his opinion in favour of the several English qualifications. On no one just ground could his proposition be rejected, for whatever arguments might be urged against the proposed qualification in Irish counties, the same, it would be admitted, must apply with much greater force and effect to the 50*l.* qualification in England. But the almost unanimous opinion of this House pronounced these arguments to be superficial and untenable in the one case and he sincerely trusted that, for the sake of consistency and justice, the same opinion would now be repeated in the other. He felt confident that in proposing and advocating this extension, he did not wander one step beyond the precedent, and proposed advantages of the English measure—less than these advantages he could not advise his country or his constituents to accept, feeling, as he did, that in legislation there should be no partialities exercised, or distinctions made between the two countries. That if the promises given and the professed advantages of the Legislative Union were acted up to at the present period, which he trusted under a Reforming Government they would be, the acts of an united Parliament should be directed as much to the prosperity and advantage of one country as they unquestionably were to that of the other. He repeated, he could not recommend his countrymen to be contented with a less beneficial measure of Reform; and when he considered that at a future period it might be found exceedingly difficult, perhaps impossible, to obtain such improvements in the Irish measure as would place it, in some degree on a par with the English, he conceived it would be a dereliction of duty on the part of the Irish Members were they to permit the present favourable opportunity to escape, without endeavouring to secure for Ireland such a measure as would be received with gratitude and satisfaction by the Irish people. It might be objected to him by certain hon. Members at that side of the House, whose zeal for what they denominated the "cause," sometimes outran their discretion; that the greatest dangers were to be apprehended from the vast power and influence which a further extension of the elective franchise would throw into the hands of the Catholic body in Ireland; which influence would necessarily be exercised in the election of Representatives in their interest, and in a consequent endeavour to upset all the established institutions of that country. He was convinced no impartial person could for one moment harbour such antiquated and superficial assumptions. He for one did not; but granting, for the sake of argument, that such apprehensions were just, did the hon. Gentlemen, in their sober senses, believe, that the danger could be averted by refusing a measure of equal justice to the Irish people? He told these hon. Gentlemen, that unless they were fully prepared to demonstrate the practicability of quelling agitation and dissatisfaction by a denial of that which was sought on grounds of reason and justice alone, they must not object to go the full length of his opinions, that timely concession to the just demands of the people was the surest and safest method of preserving the affections of the people, and establishing and maintaining the tranquillity of the country. It would, he was sure, be admitted by all, that tumultuary violence could not succeed, nor agitation triumph, were justice dealt out with an even hand—were the people made to understand that their interests were best consulted by a full confidence in, and a steady adherence to, a Government that had evinced its disposition to confer equal advantages and grant redress; and he would say, that it was not very difficult to assure any people of such a disposition. Such conduct on the part of those in authority, carried with it the double advantage of cementing and consolidating their own power, and enabling them, by the firm hold it gave them on the affections of the people, to extract the poison from the serpent's tongue, and demolish the strongholds of disaffection and anarchy, while it afforded them the enviable gratification of being able to diffuse all the blessings of harmony and good fellowship throughout the land; and thus to secure the tranquillity, the happiness, and consequent prosperity, of the people. The hon. Member concluded by moving his amendment.

Mr. *Stanley* admitted, that the amendment of the hon. Member was similar to a provision which appeared in a former Bill, but he must object to the proposition, because he considered it likely to lead to fraud and collusion: in fact, that objection had been made to the former provision by the learned member for Kerry, and the right hon. member for Waterford. They said also, that it was impossible to ascertain the amount of rent, and that making a qualification depend upon the amount would place the tenant wholly in the power of the landlord. The higher the amount of rent paid, said the hon. and learned Member, the less would there be of profit, and, therefore, the most dependent men would be the electors. No injustice was done to Ireland, for there the qualification was a term of fourteen years and a beneficial interest of 20*l.*, while in England the term was twenty years, and the beneficial interest 20*l.*

Mr. *Hume* objected to the Bill because it narrowed the number of electors too much. He wished to ask what number of electors there would be in the counties of Ireland.

Mr. *Stanley* said, it was quite impossible for him to tell, because the number of leaseholders was wholly unknown.

Mr. *O'Connell* said, that the total numbers of the county constituency, including the chattel interests, would amount, under the Bill, to no more than 30,000. In five counties the number of 10*l.* freeholders was less than 300; in seven, it was less than 400; in five counties it was less than 500; in three counties it was less than 700; and in twelve counties it was above 700. Amongst those twelve counties which had upwards of 700 freeholders, eight were in the province of Ulster. Thus, the number of 10*l.* freeholders might be taken, in round numbers, to be 18,000. It remained to ascertain the number of 50*l.* and 20*l.* freeholders; and, in all his experience at contested elections, he had never known these freeholders amount to more than one-sixth of the number of 10*l.* freeholders. However, to make the case as strong as possible against himself, he would take it to be one-sixth, which would give 6,000 voters more. Add the voters for the 20*l.* chattel interest, and suppose them (a most exaggerated calculation) to be equally numerous with the 50*l.* and 20*l.* freeholders, and that calculation would give 6,000 more voters, making the whole county constituency of Ireland amount to 30,000. It was impossible that it could exceed that number. He had stated the case as strongly as he could against himself. He desired nothing but fair play; prove that he was wrong, and he would acknowledge his error. He desired agitation only to correct injustice; and he was ready and willing to correct injustice by agitation, if the House would not correct it by the only legitimate way—that was, by giving to him a 10*l.* chattel vote. With respect to this Motion, he should have preferred it in another shape; but having been taunted that, when he endeavoured to get an enlargement of the franchise, he got only a diminution of it, he should support the Motion. Every man who voted for giving, in the case of England, the franchise to persons having leases of not less than twenty years, with 50*l.* yearly rent, had, in fact, sanctioned the Motion, for they were identical. He, therefore, in the name of consistency, as well as of justice, called upon those who supported the proposition, in the English Bill to support the present Motion. The reproach that had been thrown out against him was in effect this:—"You are a most admirable advocate, and have ably discharged your duty to the people; you waited on the noble Lord, the member for Northamptonshire, and the noble Lord, the member for Devonshire, and the right hon. Gentleman, the Secretary for Ireland, to obtain the insertion of a clause to extend the franchise, and you succeeded to this extent—that though you did not get your own clause inserted, you got one struck out, by the omission of which the franchise was made still more limited." That taunt placed him in such a predicament, that, if it had occurred in his own profession, it would not have contributed to his success in life. He thought the diminution he recommended a good one, provided he could get the increase he desired; but that was refused him, and therefore he was bound to support the Motion.

Mr. *Stanley* said, the hon. and learned Gentleman seemed to think that there could be no difficulty in answering the question put by the hon. member for Middlesex, and yet, when the hon. and learned Gentleman came to speak of the number of leasehold voters under this Bill, he could not tell whether they would amount to 1,500 or 6,000. [Mr. *O'Connell*: The maximum was 6,000.] The maximum, said the hon. Gentleman, was 6,000; but upon what a strange position did he found his arguments. A grant might be made to as many persons as you please, but there could not according to the hon. Gentleman, be more than one voter, because you have struck out all the intermediate lessees or grantees and have given the right of voting only to the person possessing the original beneficial interest. But though the original possessor of the beneficial interest might be only one, as to the freehold or the fee, yet the derivative interests might be a hundred, five hundred, or even a thousand, which would come within the provisions of the Bill, as entitled to vote. The argument of the hon. and learned Gentleman appeared to him manifestly absurd. The hon. Gentleman knew that a great body of the leaseholders who would come under the description of this Act held leases under the Church. The original lessee would acquire the right of voting by virtue of the beneficial interest he had in the property; while the occupying tenants who held under him as lessee (whether mediately or immediately), would also be entitled to vote; so that for each portion of land there might be two distinct votes; not, indeed, a cumulation of votes on account of the primary interest; but as the original beneficial owner would have a vote for the whole of his estate, so all the occupants of that estate, provided they had sufficient interest in the portions they respectively occupied, would also acquire a vote. The Church property extended over 700,000 or 800,000 acres, and the argument of the hon. and learned Gentleman was this—that as there were only thirty-two Bishops in Ireland, therefore there could only be thirty-two persons entitled to vote in respect of this property, besides those that had the original beneficial freehold interest, because all the intermediate interests were struck out of the Bill. That was too glaring an error to deserve further remark, and the absurdity of the hon. and learned Gentleman's argument was too manifest to need further refutation.

Mr. *O'Connell:* The absurdity of the argument was the right hon. Gentleman's own—because, according to him, there were no such things as derivative freeholds. Could not a man make 5,000 freehold leases as well as chattel interests? What, then, became of the right hon. Gentleman's charge of absurdity? The primary and original interests in the freehold, which extended all over Ireland, besides the original beneficial estate in fee, had all been struck out. When they contrasted the derivative freeholds with the derivative chattel interests of that class which was recognized by the Bill, the former would be found considerably to predominate. Was his argument untenable, then, when he offered to give you up these chattel interests for as many votes as could be obtained from the derivative freeholds? The maximum of those chattel interests would be 6,000, a fact he had deduced from the experience of eighteen contested elections. But that maximum was more than would be obtained. If the amendment were not carried, gross injustice would be done to Ireland, for the Bill would confine in a few hands the elective franchise of that country. The right hon. Gentleman had excluded the people; or, as the Conservatives called them, the lower orders. When had Ireland been so much disturbed in any three years during its whole history, as since she had been deprived of the 40*s*. franchise? The more the people were separated from the legal modes of expressing their political opinions and feelings, the more they were disgusted with the institutions of the country, and driven into improper courses. Such policy was wicked; it maddened the people of Ireland, and then he was charged with agitating them. On this subject he had been explicit; he had written and published his opinions in the newspapers, and had always said, that the constituency under this Bill was an injustice and a mockery. Why was not the right hon. Secretary prepared to make some estimate as to what would be the probable number of the constituents under this clause? Let him compare the chattel votes which he proposed to give with the freeholds; by those means he might, at least, form some notion of the number of votes he was about to create, because there must be more freeholds than chattel interests: but, taking it for granted that there were as many chattel leases as freehold leases, then, when he came to compare them with the number of freehold votes at eighteen county elections, and make the necessarily average calculation, the result was, that there would be about 30,000 voters for all Ireland:—it ought not to be so.

Mr. *Stanley* begged to inform the hon. and learned Gentleman, that he had made inquiries. He had applied to the Clerks of the Peace, to ascertain whether they could give him an approximation as to the number of leaseholders of 20*l*.; and the answer he received was, almost without exception, that it was absolutely impossible to come to any approximation.

Mr. *O'Connell:* If the object of the right hon. Gentleman was to increase the constituency, and to refute the arguments which had been advanced against his measure, and he had communicated this to the Clerks of the Peace, would they not have told him, that although they could not ascertain the exact number, yet they were numerous. It happened to be his lot to be so professionally circumstanced, and in other ways so intimately acquainted with at least three of the provinces of that country, that he could not but be informed upon this matter; and he ventured to assert, that the right hon. Gentleman would not make 1,000 votes by this part of the Bill; but he had conceded them to be 6,000; and yet there would not be more than 30,000 voters for all Ireland.

Mr. *Sheil:* The right hon. Gentleman, the Secretary for Ireland, said, that he had attempted in vain to ascertain the probable amount of votes to be created by this part of the clause; if that was the case, why had the sum of 20*l*. been taken in preference to 10*l*.? By this Bill it was provided, that every leaseholder of 20*l*. a-year, for a term originally not less than fourteen years, should have a vote. Why was not a 10*l*. rental taken? The right hon. Gentleman might say, "because the 20*l*. qualification would give a greater constituency;" but he had just said, that he could not tell what the constituency would be. He could, therefore, have no test of what the number of voters would be, as an inducement for him to adopt the 20*l.* instead of a 10*l.* qualification. The right hon. Secretary also said, Church lands were principally leaseholds; so that, where there were Church lands, there would be no other than a leasehold constituency. There ought to be some ground laid for their proceedings; but here was a clause containing a specific pecuniary qualification, and no reason was given for the selection of that particular sum.

Colonel *Conolly* said, if the number of electors in Ireland would not be numerrous, the hon. and learned Gentleman himself was to blame. The agitation that hon. and learned Gentleman kept up, produced a reluctance among landlords to grant leases. He himself was the great cause of the smallness of the constituency. Many landlords would not grant leases when they knew the votes of those who obtained them would be influenced by the hon. and learned member for Kerry. The intestine war to which he gave rise in Ireland, produced a corresponding exertion on the part of landlords. The Irish counties with 10*l.* freeholders, were now far more independent than they were under the 40*s.* freeholds. It gave him sincere pleasure to see the perjury and degradation brought upon the country by the class of 40*s.* voters removed. They were driven like so many sheep to the poll, and were as unconscious for whom they voted, as any flock of sheep would be.

Lord *Althorp* said, that all which Ministers could do either in England or Ireland, was, to fix the qualification. They could not ascertain what number of electors would be created by it. All the leases on Church lands were chattel leases, and there would be at least that clear addition to the constituency.

Mr. *O'Connell* said, the hon. Member (Colonel Conolly), in place of answering his argument as to the smallness of the constituency, had confirmed it. The hon. Member admitted that landlords in Ireland were unwilling to grant leases, and why? Because they were apprehensive they could not make the tenants vote just as they pleased. This was a strong argument for reducing the qualification; it was not he who caused the agitation. It was produced by those who wanted to retain their former domination, and it required all his efforts to prevent the agitation their conduct was calculated to produce.

Mr. *Ruthven* contended, that a person paying 30*l.* a year rent for a farm, with a lease of nineteen years, was a more independent person than a leaseholder at will, paying 50*l.* rent. He should support the motion of his hon. friend.

Mr. *Mullins* stated, in reply, that the observations of the right hon. Secretary did not contain one syllable subversive of his argument; on the contrary, the right hon. Gentleman had acknowledged his former recognition of the principle on which his claim was founded—namely, that of a rent qualification; but he stated that he would never have proposed such a qualification as an annual rent of 50*l.*, did he not believe that a tenant, paying such a rent, had likewise a beneficial interest in his holding, of at least 20*l.* If the right hon. Gentleman's assumption were correct, it followed that a rent-payer of 30*l.* must have a beneficial interest of more than 10*l.*; and surely no man who had voted for the 50*l.* tenant-at-will qualification in England would deny the justice of his Motion; but the right hon. Gentleman opposed him on the ground that such a franchise would be liable to fraud and collusion. This position he could not admit; there could be no greater difficulty in providing against fraud in this case than in any other. If he had reason to believe there existed in his proposed qualification any such defects as the right hon. Gentleman had insinuated, he should be the last to advocate its adoption; but he asserted, without fear of disproval, that it was such a qualification as might be safely admitted, and ought, if justice was intended towards Ireland, to be received without opposition. Such being his conviction, he felt himself justified in taking the sense of the Committee upon his proposition.

The Committee divided on the Amendment: — Ayes 9 Noes 161 — Majority 152.

List of the AYES:

Blackney, W.
Bodkin, J.
Doyle, Sir J. M.
Hume, J.
Leader, N. P.
Macnamara, W. N.
Musgrave, Sir R.
O'Connell, D.
Ruthven, E. S.

TELLER.

Mullins, F. W.

Lord *Althorp* said, he would postpone the further consideration of this Bill in Committee until Monday next.

Lord *Killeen* opposed so long an adjournment. He was most anxious to proceed, especially as they had now arrived at that stage of the measure at which the claims of the 10*l.* copyholders might be brought under consideration. He was in hopes of inducing the noble Lord to concur in a proposition for the enfranchisement of that class.

Mr. *O'Connell* supported the view taken by the noble Lord. These copyholders were so only in name. In reality they were freeholders, for their tenure was in every respect as good as the holding by fee simple.

Mr. *Henry Grattan* hoped the noble Lord would not propose so long a postponement as he had named. He had been frequently to and fro between England and Ireland in his attendance upon this Bill, and it would be exceedingly inconvenient if further delay were to take place.

Lord *Althorp* was equally as anxious as the hon. Member to proceed with the Bill, but there were so many amendments that it was not likely it would speedily be concluded. He thought, therefore, that it was not advisable to delay other bills which had but a stage to go through. It would be better to postpone the Bill until Monday, and, in the interim, despatch the other Bills which were necessary to complete the machinery of the English and Scotch Bills.

House resumed,—the Committee to sit again.

JURIES (INDIA) BILL.] Mr. Charles Grant moved the third reading of this Bill.

Mr. *Goulburn* thought, that at so late an hour of the night, and in so thin a House, the right hon. Gentleman ought not to proceed with this important measure. Many hon. Members were absent who certainly would have been present had they anticipated its coming on.

Mr. *Charles Grant* said, it was generally known that the Bill would be brought on to-night, and that was the reason why so many had abstained from coming, not meaning to take any part in the discussion.

Mr. *Hume* thought the Bill most important, and one which, for many reasons, ought not to be further delayed.

Sir *Charles Wetherell* had understood it to be a standing maxim of the hon. member for Middlesex, that after twelve o'clock at night legislation ought to cease.

Mr. *Hume* only objected to voting away the public money at a late hour of the night.

Sir *Charles Wetherell* equally objected to passing measures which involved the personal liberty of the subject at such hours.

Sir *Charles Forbes* observed, that a considerable discussion between the Company and the Board of Control had taken place upon the subject of this Bill, which would create an extraordinary sensation in India when it got out there. It would appear in every newspaper, and spread over every corner of that vast empire, and cause more sensation than any occurrence for the last twenty years. It was material that this measure should have a full and mature consideration, and, at the same time, that there should be no unnecessary delay with regard to it. He hoped that the Bill would not be delayed.

Mr. *Courtenay* did not object to the principles of the Bill, but was anxious that it should have a full discussion, and that, at all events, those hon. friends of his, who had expressed a wish to make some observations upon it, should have the opportunity of doing so. It could not be denied that this Bill would effect a very considerable change in the administration of the government of India. His right hon. friend admitted that it was of the utmost importance to consider whether the reasons applicable, in general, to the admission of persons to the offices of Juries and Justices of Peace, were applicable in the case of the peculiar mode of government in India; and he had said, that the principle was, to apply improvements when civilization was sufficiently advanced to be able to do it with safety. His right hon. friend knew perfectly well, that India had not been treated hitherto as a country in a state of civilization, nor governed by those general principles which were applicable to European States. The system of government in India, whether right or wrong, was, in fact, a system quite peculiar. The change proposed by this Bill was a very material and radical change in the administration of that government; and, without any urgent necessity being shown for its immediate enactment, he really thought it might be very properly postponed, and made one of the general measures of legislation, when the Committees sitting to inquire into the East-India question should have terminated their labours. He regretted extremely that an hon. friend of his, who had been one of the Judges in India, and who was fully competent to give an opinion on this question, should be absent, owing to an expectation that the Motion would not come on to-night; because he fully intended to state his opinions to the House. It was not his intention, as he had already said, to oppose the principle of the Bill; and he had discharged his duty in making these few remarks.

Mr. *Charles Grant* said, the present Bill referred to an isolated point upon which the House had already had the benefit of all necessary information, and much discussion. The inquiry now pending was of a general and comprehensive nature, and would occupy a considerable period of time before it could be brought under the notice of the House. In the meantime, he thought it highly desirable that this Bill should be proceeded with, and carried into operation in India. The great principle of the Bill was, to give the natives a share in administering the laws of the country as soon as possible; and this principle was to be carried to as great an extent as should be found practicable. In his opinion, it was the high duty of this country to the natives of India, to impart to them every species of improvement of which they could be made susceptible. With these views, he could see no occasion for delaying this measure for a year longer. The native population felt the greatest anxiety with respect to it; petitions from Bombay and Calcutta, dated three years ago, and then on the Table of the House, testified the anxiety of the natives for this measure—an anxiety which showed that they were prepared for the exercise of the trust about to be confided in them. There was only one other part of this measure to which he thought it necessary to call the attention of the House. It was that part which altered the registry regulation, making it essential that the natives should be Christians to sit upon Juries. He did not approve of making Christianity a test and an exclusion in this manner. He thought it bad in legislation, and injurious to Christianity itself, which he desired to see promoted by far different means. This Bill made it permissive that natives who were not Christians should enjoy the same rights.

Mr. *Stuart Wortley* thought, that if they waited the result of the inquiry at present going on, they might see reason to adopt some modification of this measure, or impart some improvement to it.

Sir *John Malcolm* was very glad the right hon. Gentleman refused to consent to further delay, because he knew that much irritation now existed in India on this subject. The Bill was highly important, and would tend to allay much of the discontent created by the existing law. He particularly alluded to that part of the law which made it imperative that every native sitting on a Grand Jury should be a Christian. In Bombay there were 13,000 or 14,000 Christians, not all belonging to the most respectable classes of society, who were entitled by the law to sit on Grand Juries, from which many most respectable Parsees and Hindoos, to whom the Christians were clerks and servants, would be excluded. Thus the effect of the regulation was, to exclude the most wealthy and influential natives from those places of trust which they saw the lowest class occupy, and frequently their own servants. Nothing could create greater discontent than this impolitic regulation. We should never be able to preserve our empire in that quarter, under the changes which it was but just to anticipate, unless the natives were made content. It was impossible that they should be able to establish the police there which it was intended to establish unless this were done.

Bill read a third time, and passed.

HOUSE OF LORDS,
Tuesday, June 19, 1832.

Minutes.] Bills. Read a first time:—Juries (India).—Read a second time:—Charitable Funds.—Read a third time:—Representative Peers (Scotland); Tithe Prescription; and Churches Building Act Amendment.

Schools of Anatomy.] The Earl of *Minto*, in moving the second reading of the Bill for Regulating Schools of Anatomy, stated, that, as the law now stood, the bodies of persons convicted of murder were alone legally subjected to dissection, and the number of those persons was so small as to prevent persons engaged in the acquisition of surgical knowledge from obtaining a sufficient number of subjects, without resorting to that class of persons called "resurrection-men," who carried on their trade in defiance of the law. The great inconvenience to which lecturers on surgery were subjected, from the scarcity of subjects, had led, of late years, to that horrible crime at which human nature revolted, and the perpetration of which would not have been believed if it had not been put beyond all doubt by proof in a Court of Justice. He need scarcely say, he alluded to the crime called Burking. He trusted their Lordships would not refuse to entertain a measure which was calculated, not only effectually to prevent the repetition of that horrible crime, but which, he believed, would go far to remove the difficulties with which the surgical profession now had to contend from the deficiency of subjects for dissection.

The Earl of *Malmesbury* was exceedingly sorry that he was obliged to differ from his noble relative who had just sat down, in his opinion on this subject. It was, in his opinion, a most difficult subject to legislate upon, and the difficulty was augmented by the circumstance that one of the first and best feelings of human nature operated in this country against that practice which the present Bill went to sanction. The Bill went to legalize the sale of dead bodies, and it was peculiarly objectionable, because it did not afford protection to the poor man who died in the hospital from an accident, or in the workhouse from poverty. It might be said, that the relations of parties dying in such situations had the power, under the Bill, to dissent from such an appropriation of the bodies of their friends, but unfortunately, such persons were not always in a state to dissent, and might not be acquainted with the death of their relative until it was too late to prevent the dissection of his remains. Another of his objections to the Bill was, that it did not sufficiently protect the bodies of those that were accidentally killed; for it might well happen that a stranger in London might be run over, and so meet with his death, and his body be submitted to the dissecting knife before his friends in the country could hear of the accident, and come to town to claim his remains. The clause under which this distressing circumstance might occur, was that which, instead of requiring the previous assent of the deceased, made his non-dissent sufficient. True it was there were Inspectors appointed under the Bill, but, in his opinion, the provisions with respect to Inspectors were complicated without being efficient. As he had touched on that point, he felt it his duty also to observe, that, in his opinion, the Inspectors ought not to be medical men, as they were the persons most interested. The sanction of the law once given, human bodies might be sold in the open market, but he feared the effect would be as little beneficial to the public as the sale of game in open market. The bill for legalizing the sale of game was recommended on the ground that it would check poaching, instead of which, he appealed to noble Lords if it had not facilitated poaching; and he feared that the present Bill would be as inefficacious in preventing that horrible crime of Burking to which his noble relative had alluded. There was another point in which he considered the present measure objectionable. It went to interfere with the decent rites of sepulture; for he did not see how it was possible that the rites of burial could be provided for under this Bill. But they were, in his opinion, of that sacred nature, that the utmost care ought to be taken that they were not needlessly violated; and certainly, to allow dead bodies to be publicly hawked about, was little calculated to promote a proper or decorous feeling among the living. At the present stage he would not enter further into a statement of his objections to this Bill, as he did not mean to divide the House, being anxious to see what might be done in Committee. He had other and equally serious objections, however, to the measure, to which he should probably call their Lordships' attention at some future stage.

The Earl of *Rosebery* stated, in support of the Bill, that he was a visitor of Edinburgh College, and that all the medical men connected with that College had given their testimony in favour of the present measure. They stated, that they could not obtain a sufficient supply of subjects for the use of the pupils resorting to the College, even at an enormous cost, and that the interests of science were seriously injured by the system which now prevailed. The measure before their Lordships had been opposed on the ground that it injuriously affected the interests of the poorer classes. Now, in his opinion, the poorer classes were the persons chiefly benefitted by the measure. The higher classes might always afford to purchase the advice of those who had acquired a competent knowledge of surgery, even at a great cost, but the poorer classes were necessarily at the mercy of persons who were imperfectly educated, in consequence of the great expense of acquiring knowledge by dissection. That a strong feeling existed on the subject he was willing to admit. Indeed, the feeling was so strong in some places, particularly in the north of England, and such was the vigilance of the people in protecting the bodies of their deceased friends, that it had become almost impossible to get a subject, under any circumstances or at any cost. It was unnecessary, he thought, to argue that such a deficiency was a great injury to science, and a great detriment to society. Indeed, things had arrived at such a point, that it was absolutely necessary that the Legislature should interfere; and it was a fact worthy of remark, that Edinburgh, the place where the horrible crime of Burking had made its appearance, was the very place of all others where the greatest difficulty was experienced in obtaining a supply of dead bodies for the use of the schools of anatomy. The present measure went to obviate, if not to remove, this evil, and should, therefore, have his support.

Lord *Wynford* objected to the principles of the Bill, and also to the mode in which those principles were carried into execution; and so strongly did he feel on both those points, that he should divide the House, even if he had to go below the Bar alone. He admitted that it would be most desirable to provide a sufficient number of bodies for the purpose of dissection, and for the advancement of surgical science; but, in his opinion, such a number might be provided without outraging some of the best feelings of humanity, as was done by this Bill. Every man admitted the importance of finding remedies for disease, but it was better, in his opinion, that the bodies of the people of this country should be subjected to disease, than that their minds should be contaminated, which, he contended, would be the effect of the present measure. He spoke from experience when he pronounced the opinion, that the giving up of the bodies of persons convicted and executed for capital crime for dissection was a useful and effective part of the punishment. In the situation in which he was once placed, he had reason to know the effect which this portion of the punishment produced on the minds of criminals. He had been told by a convicted criminal, with whom he felt it his duty on one occasion to communicate, that he looked with perfect composure on his approaching death, but that he felt the most intense horror at the idea of dissection. When such was the feeling of a man of so much firmness as Colonel Despard—a person who had been described by the illustrious Nelson, as a most determined man—it was not too much to say, that the fear of dissection might deter men of less firmness from the perpetration of crime; and, for his own part, he hoped that part of the law which enabled Judges to order the bodies of criminals to be given for dissection would never be relaxed. Surely it would be much better that the bodies of such persons should be given for dissection than that the corpses of the honest members of the community should be handed over for that purpose. He admitted that something ought to be done, but he contended, that there were other places besides workhouses and the prisons of debtors, from which an ample supply might be procured. The bodies of criminals, and of those who destroyed themselves, might be given for dissection without any injustice. Instead of the properties of suicides being forfeited, and their bodies buried in an ignominious manner, which was, until very recently, the case, it would be some reparation to the public if their bodies were given for the purposes of science. As the Bill now stood, it was unjust, for its practical operation was to protect the bodies of the rich, whilst it left the poor unprotected. The Bill gave to any man in the lawful possession of a dead body, the power of selling that body. Now, who was the lawful possessor of a dead body? The executor or administrator of the deceased. But the poor had no executors or administrators, and the matron of a workhouse or the keeper of a prison would be in lawful possession of the poor man's body. His view was, that the bodies of persons convicted of felony, whether executed or dying in prison, should be given for dissection; but that the body of the debtor who died in prison, or any man who was only charged and not convicted of crime, should not be dissected. The Bill also gave a power to men to dispose of their own bodies after death. Now, it was well enough for a man to dispose of his body by will, which was usually done upon deliberation; but it was a horrible thing that a man might dispose of his body after death in a moment of excitement or intoxication, perhaps to supply some temporary want. The effect would be, that they should hear of men selling their bodies to Jews, who would exact the pound of flesh, or extravagant compensation for it, from the miserable wretch who, in the moment of thoughtlessness or dissipation, had entered into such a horrible contract. If their Lordships agreed to the measure in its present form, it appeared to him that they would be sending forth an Act which would reflect the highest disgrace on the British Legislature, without effecting any corresponding benefit to science. If he thought the Bill could, by any possibility, be amended, he should have no objection to its going into a Committee; but his decided opinion was, that it could not. He should, therefore, move, as an Amendment, that the Bill be read a second time that day six months.

The Earl of *Harewood* said, he could never sanction the principle of partial legislation upon a subject like the present. He did not see why the bodies of the poor and friendless should be particularly selected for the dissecting-knife. He admitted that a good deal of ingenuity had been displayed in drawing up this Bill, for the gross indecorum of the former Bill had been in a great measure avoided. But, still it came at last to much the same thing, and he could not consent that the bodies of persons who had been guilty of no offence to the community should be given up for dissection. He could not vote for having this done by law, and he thought it best to say no more about it.

The *Lord Chancellor* felt a great deal of difficulty in dealing with the question, for he must admit that it was very difficult to discuss it without hurting the feelings and prejudices of many. But he hoped that what had been stated by one noble Judge was not law, otherwise the bare opening of a body with a view to ascertain the cause of death would be punishable. It had been decided that the bare having in possession a body that had been disinterred was punishable. But the consequences of this state of the law was, that while a surgeon was punishable for want of due skill in his profession, he was also punishable for resorting to the only means by which competent skill could be acquired; and a very eminent surgeon had declared, that unless something were done, the profession might become a curse instead of a blessing. The same surgeon (Sir Astley Cooper) had declared, that the consequence of the system was, not the preservation of dead bodies, but an increase of the price, and that there were no bodies, of high or low, that he might not have for a good price if he chose. The same surgeon had stated, that the body-snatchers were most abandoned and desperate wretches; and he wished their Lordships to consider the effects of high price with reference to the security of the living, and the atrocious and frightful practice for which some miscreants had of late suffered. He was not prepared to say, that he approved of every provision of the Bill. But it appeared to be generally admitted that something ought to be done, and in his opinion, they ought to go into Committee on the Bill, in order to try whether it might not be made such as to afford some remedy for the existing evil. As to the giving up of the bodies of all persons dying under sentence of felony, that might enhance the penalty on some felonies, but would lower it in cases of murder, supposing that dissection ought to be made the sentence for murder, which some doubted.

The Earl of *Fife* admitted, that this was a subject on which their Lordships ought to proceed cautiously. But the time had come when something must be done, and he was, therefore, for going into the Committee, in order to try whether this might not be made a beneficial law.

The House divided on the Question, that the word "now" stand part of the Question:—Contents 15; Not Content 10—Majority 5.

The Bill read a second time.

HOUSE OF COMMONS,

Tuesday, June 19, 1832.

MINUTES.] Papers ordered. On the Motion of Mr. EWART, Account of the Number of Prisoners tried at the Lancaster Assizes, in each year since the year 1823; distinguishing the Number from each Hundred from which they were Committed or sent for Trial: also, the total Number of Prisoners Committed, but not Tried, within the same period.

Bills. Read a first time:—Customs Duties; Valuation of Lands (Ireland); Linen Manufactures (Ireland).—Read a second time:—Party Processions (Ireland).—Read a third time:—Life Annuities Transfer; Trespasses (Scotland).

Petitions presented. By Sir JOHN HOBHOUSE, from St. James's, Westminster,—in favour of the Ministerial Plan of Education (Ireland); and by Sir ROBERT BATESON, from several Places in Ireland,—against that Plan.—By the same Hon. Member, from the Members of the Conservative Society in Ireland,—against the Party Processions (Ireland) Bill.

Ministerial Plan of Education (Ireland).] Sir Robert Bateson presented Petitions from the Synods of Ulster, in Down, Antrim, Dromore, and Londonderry, against the Government plan of Education in Ireland.

Mr. *Pringle*, in supporting the prayer of the petitions, observed that the General Assembly of the Church of Scotland lamented that it should have gone abroad, from a petition that was presented some time since, that they were favourable to the Government plan of education in Ireland. The fact was, they had been deceived by the statement of the right hon. Secretary for Ireland.

Mr. *James E. Gordon* said, that the statement which he ventured to make, on the presentation of that petition, was now fully borne out. He could not sit down without alluding to the practical argument in favour of a Christian education in Ireland, which had just been supplied by the ludicrous instances of gross and slavish superstition recently exhibited in three, at least, of the four provinces of that country. Who that had heard or read of the hundreds and thousands of infatuated beings, who had been running about that country with a piece of lighted turf in their hands prescribing blessed ashes and *pater nosters* as a preventative of plague, did not wish to see the schoolmaster abroad among such a miserably-deluded people.

Mr. *Hume* expressed his surprise at the statement that the General Assembly of the Church of Scotland had been deceived, and considered it the height of presumption in any hon. Member to make such a statement, no proof having been brought forward that they were so. In regard to what the hon. Member stated, of individuals in Ireland running about with lighted turf, their conduct was not more wonderful, in his opinion, than it had been on those occasions when thousands of them ran after the hon. Member to hear him spout nonsense. They might be as well employed in one way as the other.

Lord *Killeen* thought that the Government plan of education in Ireland would be attended with the best effect. As to the lighted turf, he really thought it too ludicrous to deserve notice in that House.

Mr. *James E. Gordon* wished merely to offer a remark, in reply to what had fallen from the hon. member for Middlesex. That hon. Member had said, that the people might be as well employed in running about the country with a lighted turf, as in listening to the nonsense spouted to them by the member for Dundalk. He would tell the hon. Gentleman that there were some people who laboured under the unhappy incapacity of distinguishing between sense and nonsense, religiously speaking, and such men could stigmatize a reference to Divine Providence, as "humbug, cant, and hypocrisy." He would also tell the hon. member for Middlesex, that he had never been the man to spout high treason at public meetings.

Petitions to be printed.

Party Processions (Ireland).] Sir *Robert Bateson* presented a Petition from the members of the Protestant Conservative Society, in Dublin, against the Bill introduced by the right hon. Secretary for Ireland for suppressing processions. Among the petitioners were many gentlemen of the first rank, talent, character and property in Ireland, and they stated, that they had heard of processions of a most extensive character in England, at which banners with revolutionary inscriptions were exhibited in the vicinity of the Sovereign's palace, and that the Government had introduced no bill for their suppression. They had heard also that some of his Majesty's Ministers had corresponded with the bodies from which those processions emanated; they had no objection to the suppression of all processions, but it appeared that it was intended, by the Bill in question, only to put down Protestant processions — those processions which usually took place in the month of July, in Ireland, and that it was not intended to embrace any other processions. So recently as last year, processions had been held in Dublin which emanated from meetings sanctioned by the Government, and attended by two of his Majesty's Serjeants-at-law. Even at this period large masses of people were assembling in Ireland, whose professed object was to destroy Church property, but whose real object was to destroy every description of property, and yet Government had not adopted any means of preventing those processions. The petitioners concluded by deploring the forbearance of the Government towards the disaffected part of the population, and prayed that the Bill might not pass into a law. He never was an Orangeman, and he had always wished that all processions, and all party animosity, should subside; but he was bound to state, that at the present moment, the Orangemen of Ireland were a most numerous and respectable body, and that within the last six months tens of thousands of persons had joined it, not from a wish to oppose the Government, but from the necessity of protecting their lives and property. He knew that a system of exclusive dealing had been recommended by the leading demagogues of the day, and every body knew that a recommendation from such quarters was law; for those demagogues not only ruled, but ruled with a rod of iron. What objection, then, could there be to allow the processions of persons on the 12th of July, when the object was merely to go to church, hear a sermon, and then go home? He implored the Government not to pass the Bill too hastily—at all events, to postpone it until after the 12th of July, at all events, it was now too late for this year, because the preparations for the 12th of July were already made—those public processions which their forefathers had been accustomed to—all that the petitioners wished for was, equal law and justice for all.

Mr. *Stanley* deprecated such premature discussion, and implored hon. Gentlemen to wait until the Bill came regularly before the House. As to the procession merely going to church to hear a sermon, the Bill would not interfere with it; and would only interfere with processions growing out of religious party-feeling; but what reason was there for processions going to church with arms, banners, and music? Those tended to create a disturbance, and should be put down. The hon. Baronet had furnished him with a sufficient reason to press the Bill hastily through the House (which he certainly should do), as it appeared that preparations were already making for the processions on the 12th of July next.

Mr. *Henry Grattan* hoped the Bill would be immediately proceeded with.

The petition to be printed.

Poor Laws (Ireland).] Mr. *Sadler* rose for the purpose of bringing forward the Resolution which it was his intention to submit to the House, for the purpose of affording an opportunity of expressing their approval of the principle upon which he advocated this important subject. The hon. Member declared, that as he had hitherto let slip no opportunity which had been afforded to him, since he was in public life, of bringing forward the question of the application of Poor Laws to Ireland, neither would he stay from the thorough discussion of the subject at that moment, even to proceed to take the sense of the House upon his proposition. He had been urged, on the last occasion of his bringing forward this question, to prepare a bill for the purpose of carrying his object into effect, and to submit that bill to the House, when they could discuss the matter regularly, and in detail. He thought, however, that the principle of the measure ought first to be affirmed by the House, and, upon that affirmation, a bill might be introduced, for the purpose of carrying that principle into effect, with some chance of success. Without dwelling upon the minor arguments which might be adduced in favour of the Resolution which he was about to propose, he would assert that the very "head and front" of them was that indisputable axiom which maintained the right of the poor to be relieved out of the produce of the land. Especial care had been taken to enact laws—and those, too, of a sanguinary and harsh nature—for the purpose of protecting the rights of property in Ireland; but that sacred duty which was imperative on a just Legislature to perform—namely, of providing by law for the relief and support of the destitute and comfortless—had been totally and shamefully neglected in Ireland. It was a principle in morals, immutable as any principle in nature, that the poor inherited this claim to support as part of their birthright: the great Locke advocated that principle in his Treatise on Government; and allowing, as he there did, the rights of property, he at the same time declared' that the rich had no right to starve the poor, or to withhold from them their share of the bounties of Providence. The very principles upon which the rights of property were based, were founded on this indefeasible right of the poor, for property could not be maintained to be sacred, save upon the principle of reserving the right of the poor to maintenance from the land. This was the law in all civilized States. In that State where, of all others, it was least to be looked for, the principle was extended beyond the bounds which were put upon it in the European States. He alluded to America—the United States, in which, says Mr. Dwight, the poor of all classes, all colours, all nations, may claim relief by law; and what rendered this claim more onerous in those States was, the fact, that the maintenance of a certain number of poor persons cost more in New York, for instance, than an equal number did in England, notwithstanding the great disparity which existed between the prices of provisions in the two countries. The only exception which he had to make to this universal adoption of a system of Poor laws in European States was Ireland; and the only question which it seemed to him it was necessary to put before they were extended to that country, was, whether there was a sufficient degree of poverty there to render their extension a matter of necessity? What was the reply which was made to this question by those upon whom those Poor laws would press? Why, that the very magnitude of the distress which existed in Ireland, was the principal reason why those laws ought to be refused to them. What a perversion of argument was there—the very greatness of the evil being alleged as the excuse why no remedy was to be applied—the very depth of the distress was the most cogent reason used for evading and neglecting their duty. This selfish argument had been brought forward as the most irrefragable. What! could the long neglect of a duty, the non-performance of which had been the cause of so much calamity, be a reason why it should never be carried into execution? He trusted the House would never for one moment entertain such an argument. Ireland had stronger claims to legislative relief than any other country. Alternate pestilence and famine, those scourges of the human race, had committed their ravages amongst her population, whilst the sword destroyed those who had escaped the pestilence. For many centuries past, such had been the fearful history of Ireland; famine, plague, and sword, held alternate sway in that unhappy land. For all these evils it was said, casual charity is a sufficient boon, a sufficient relief. Such was the melancholy history of Ireland. It was the so called protection, or rather the cruel desertion, of their absentee landlords which had reduced the poor of Ireland for centuries to the most abject distress. These landed proprietors had at length resorted to the expedient of clearances; a plan which they would never have dared to propose in England, where there was a system of Poor laws. They had audaciously called the people on their estates a surplus population, and had proceeded to ship them off, as if that assertion were, or could be, founded in truth. It was objected to the introduction of Poor laws in Ireland that there was a great deal of malversation going on in the administration of these laws in England. But where, let him ask, was there to be found an institution, so widely extended as the English Poor laws, in the administration of which some venial errors might not be detected? Ireland had long been in a state either of latent or open disturbance. The existence of distress, according to the axiom of Bacon, "Distresses are so many hopes for trouble," was one of the chief causes of her disturbed condition. Let her have a system of Poor laws adapted to her, and he would answer for it the troubles would mainly cease. Even without reverting too narrowly to the condition of England and her Poor laws, he would advance a proposition which no one could deny—that it was equally hard upon both Ireland and England to provide for the poor in one country, and not in another. It was hard upon Ireland, because of the suffering which her population endured; it was hard upon England, because her already numerous train of operatives, both in manufacture and agriculture, was swelled by the Irish poor, who flocked over to obtain employment, and who, by working for a less sum, reduced the artizan's wages, and took his bread from his mouth. In short, owing to this cause, the market for labour, both manufacturing and commercial, was completely overloaded, and the poor of both countries, in consequence brought down to one level of wretchedness. By doing justice to the population of Ireland they would do justice to England, and enable each country to maintain its own poor. An objection was made on account of the difficulty of founding a system of Poor laws for Ireland. Why, the same difficulty was made at the time the Poor laws were first considered in this country. The existence of a difficulty was no answer when the necessity of legislation was admitted. Others expressed their fears of an increase of the numbers of mankind; surely they could not attempt to apply such an argument as this to Ireland, whose history was a practical demonstration to the contrary of this absurd theory. He had said enough, he trusted, to satisfy the House that the principle upon which his Resolution was based was correct: the affirmation of it he left to their consciences, and to their sense of duty. It was proved by statistical documents that admitted of no controversy that the poverty of Ireland had a great effect upon human life. The comparative tables of mortality there and in England gave a balance of fifty per cent in favour of England, on all lives under forty years of age. He trusted, with such important facts before them, that all parties in that House would lose their acrimony, and blend in one united effort for the amelioration of the condition of the Irish poor, as by so doing—so far from putting a check, as had been asserted, upon charity—they would maintain and give vigour to that inestimable feeling. He had pondered long upon the subject of his Motion; he had devoted years to it before he entered into public life; and he felt convinced, whatever might be their decision on the subject that night—he felt convinced that his ideas would ultimately obtain confirmation in that House, and his principles be carried into effect. He trusted the House would reflect upon the consequences of rejecting his Resolutions. It was too late in the session to introduce any bill founded upon them, but he called upon them, as they valued the sacred principle upon which his proposition was founded, to give their affirmation to it. He begged to move a resolution, declaratory "That it is expedient to establish a permanent provision for the suffering and destitute poor of Ireland, by a levy upon all the real property of that part of the United Kingdom, and more particularly upon that of the absentees."

Mr. Hunt seconded the Motion.

Mr. *Stanley* observed, that the hon. Member seemed merely desirous, by his present Motion, to put on record his adhesion to the benevolent principles which he had, on former occasions, fully developed to that House, and he could hardly think it possible that the hon. Member was serious, when he declared it to be his intention to take the opinion of the House upon those principles, which would, he dared say, be silently assented to by all, because they were so general and so vague that nothing binding could come of them, though the hon. Member deserved great credit for his able advocacy of them. When the hon. Gentleman brought forward his proposition last year, the objection taken, not only by members of his Majesty's Government, but by Members whose conduct was entirely uninfluenced by party considerations, was, that it was calling on the House to affirm a proposition which admitted of different constructions, and the judgment of different individuals. The people of Ireland might fancy that it bound the House to every thing whilst some of the Members who voted for it might conscientiously believe that it bound the House to nothing. He stated, then, that he wished the hon. Member, who had paid the subject so much attention, would bring it under the consideration of the House, in a form which would enable them to grapple with the practical point and real difficulties of the measure; and if the hon. Gentleman would introduce a bill, he then assured him it should have the most anxious and impartial consideration. He was, therefore, rejoiced to find, from the notice on the Order Book, that the hon. Gentleman intended to do this. Judge, however, of his regret, as well as his surprise, to find that the notice had been altered within the last four days, and the hon. Member now came forward with a Resolution, he would not say as vague, but infinitely more vague, than that which he introduced last year. He had listened to his speech to-night with every possible respect for the talents and eloquence of the hon. Gentleman; but it was quite impossible to ascertain from that speech any one single plan by which the hon. Gentleman expected to overcome the evil of which he complained. He did not for one moment deny the moral obligation to relieve the necessities of the poor, but the question was, in what manner the Legislature was to afford effectual relief. He wished to know what was the practical question which the hon. Gentleman meant to bring forward. Did the hon. Gentleman mean to assert, that there were no charitable institutions in Ireland, to which the Legislature had not paid any attention? Did the hon. Gentleman not recollect the Lunatic Asylum, the Fever Hospital, the County Infirmaries, and other institutions of a similar description? Did the hon. Gentleman mean to say, that those institutions should be more effectually assisted? Except for the evils of blindness, and deafness, and dumbness, there were no physical evils for the mitigation of which, in Ireland, legislative means were not afforded. Did the hon. Gentleman mean that the House should blindfold, and without investigation, pledge itself to a Resolution that it would afford the means of supporting all persons in Ireland who were unable by their labour to support themselves and their families? Was he prepared to bring forward such a proposition as that, with all the immediate disadvantages which surrounded it? Was it not desirable, at least, to postpone such a pledge until it could be shown that the proposed system was free from the difficulties which beset a similar one in England? Would that hon. Member bring forward a bill himself on the subject, and expose himself to all the consequences in public estimation of its advantages and disadvantages—such as the expenses of litigation incident to the English system, with the charges of removals from one parish to another? No; the hon. Member shrunk from the difficulties incident to such a measure, though he had talked of bringing in a bill, and had actually given notice of it. Now they were to be amused with something of a lighter character; namely, a resolution, by which it was sought to pledge the House to something not strictly defined. He acknowledged that his Majesty's Government had been so occupied with objects of the very utmost and pressing importance, that they were not prepared to introduce, at present, a measure, on their own responsibility, which it might be hoped would obviate the difficulty. He, therefore, must object to an instruction which would have the effect of pledging Government to an abstract proposition, propounded by any other person, the consequences of which his Majesty's Government had not weighed and considered. At least, before such a pledge was given, they should know to what they were to be pledged; because, observe this, whatever it might be, it was a subject which, if they touched, they must touch with prudence and consummate judgment; for, if they touched it incautiously, or infelicitously, the evils they would create must be, perhaps, greater than those they would avoid, and it was most likely that in such a case the most ruinous and fatal consequences would ensue. Now all this the Government was called upon by the hon. Member's motion to do, in utter blindness and ignorance of the object or extent of the measure thereon to be founded. It was also notorious that, ere Parliament met again, a new Parliament would be called together, and the effect of this Motion would be, to pledge a future and a new Parliament to the expediency of acquiescing in the future measure which still slumbered in the bosom of the hon. Member, and which was, in fact, an abstract principle, conceived, but not announced, by that hon. Member. It might be, perhaps, applicable only to the old or infirm, or it might embrace the able-bodied poor who had not employment sufficient for their support; but, as the question now stood, with this imperfect information before them, he should, he confessed, meet it, as he had before met a similar motion, to show his conviction that the Motion was ill-timed and inconvenient, by moving the previous question. To disprove the assertion of the hon. Member, that there was no legislative enactment, relative to Ireland, on the principle of our Poor laws, he would only refer to a bill of his own, this Session of Parliament, for amending the 58th and 59th of George 3rd, with the view to prevent contagious and epidemic diseases. The principle of this bill was, to extend the power of levying means of compulsory relief, through the establishment of a Board of Health. The clause to which he alluded gave power to the Board, which was appointed by the parish vestry authorities, to guard against the first symptoms of approaching contagion, or epidemic disease, and to borrow money of the Consolidated Fund, whenever they perceived symptoms of that distress which they apprehended would lead to endemic disease. Was not that a Poor law, so far as it went? He would not sanction the application of a system, such as that existing in England now, to a country so eminently and exclusively agricultural as Ireland, because a Poor law, such as we had in England, would, in Ireland, be productive of the most fatal effects; because it implied that employment was to be provided by some means, for those who could not support themselves by the means of their own labour. If such a project were carried into effect in Ireland, without great care being taken to counterbalance the evils necessarily attendant on it, it could not but prove a curse, instead of a boon, to Ireland. In the present state of the House, in the present state of the

Session, in the present state of the Parliament, it was impossible to legislate satisfactorily on so important a subject. If so, how impolitic and imprudent it would be for the House to pledge itself to something which it could not accomplish, and the mode of accomplishing which, by its successor, it could not divine! There was one part of the hon. Gentleman's resolution to which he would rather give a direct negative than meet it with the previous question; for the hon. Gentleman had complicated the question of the Poor laws in Ireland with the question of Absenteeism. He willingly allowed that a great moral injury resulted from the absenteeism of great landed proprietors in any country; and when to that consideration was added great drain of rents, it must be admitted that absenteeism had a great effect on the physical comforts, as well as on the moral condition, of the community. But it was a very difficult question to know how to deal with. Were they, by a system of Poor laws, to press on the estates of absentees? But how was absenteeism itself to be defined? Did it consist in an absence from Ireland of nine months, of six months, of three months, of two months? Was an absence of six months in two years, or of three months in two successive years, to be considered equal absenteeism? What then was absenteeism?

Mr. *Sadler:* The Legislature had decided who was an absentee, and the question had been settled by their vote.

Mr. *Stanley:* If so, he would not trouble the House with an inquiry into that which had been settled by so high an authority; but the Legislature had not decided whether it was equitable or politic to make distinctions in taxation between those who were resident and those who were not so. He would ask the hon. Gentleman, too, looking at the question in another point of view, were the Irish proprietors, in his mind, the only persons who, in strictness, could be considered absentees, living at a distance on the produce of Irish property, and making no return to that country? What would he say to the numerous mortgages on Irish property and estates? Was not the man who advanced money upon mortgage to a person possessed of a rent-roll of 10,000*l.* a year, from which mortgage he derived an income to the extent of 9,500*l.* a year, whilst the original landed proprietor received no more than 500*l.* a year, a very formidable absentee, and very difficult to reach by legislative provision? Had he no right to receive the amount of his mortgage, and the proceeds of his money, on the security of an estate in Ireland, although he resided here, and had never seen the estate in question? Would the hon. Gentleman go, in order to support his abstract proposition, the length of saying, that he would tax this mortgagee as an absentee, in order to protect the interest and the pocket of the farmer or tenant who resided on the land, and thus raise a provision by law for the Irish poor? There was also a class of absentees here who had estates in both countries, and, though they preferred living on their English estates, yet the property from which they absented themselves in Ireland was far more liable to mismanagement; and the influence of change of seasons or crops upon the condition or resources of their tenantry was much greater than on their English property. Would the hon. Member go to the extent of taxing each and all of these parties? The hon. Member seemed to have taken up the question, although humanely, certainly far too vaguely, and upon too light grounds to warrant him in giving the Motion his support; he should, therefore, meet it by moving as an amendment the previous question.

Mr. *Chapman* felt desirous of doing that for the hon. member for Aldborough which he had altogether omitted doing for himself, and of giving to the House some description of the extent and nature of his proposed plan of Poor laws. In his speech at a public meeting in Leeds, the hon. Member had stated, that if all the tithes in Ireland were converted into a provision for the poor, that provision would be inadequate; therefore, let Irish Members be fully aware of the extent of the proposed plan, and not imagine that, by voting for that Motion, they were merely advocating the introduction of a modified system. He felt extremely unwilling upon that occasion to detain the House by any lengthened observations as to the necessity or expediency of introducing a modified system. Upon that point he begged to refrain from giving any opinion; but in opposing this measure, he did not mean to pledge himself to oppose a modified system: he chiefly opposed it on account of the time at which it was brought forward, as he considered that, however consistent it might be in the hon. Member, who looked forward with fear and apprehension to the reformed Parliament, to endeavour to bind this House, and hurry forward the measure now, it would be very unsuitable in those who anticipated great and important benefits from the next Parliament, to advocate so vague and indefinite a proposition, which the hon. Member himself acknowledged he did not intend to follow up by any specific measure, and which, therefore, could not possibly lead to any practical results. He, therefore, would oppose the Resolution, without at that time expressing any opinion upon the subject of the extension of a poor-rate to Ireland, which he would reserve for some other opportunity. On the subject of absenteeism he would only say, that the hon. Member seemed to him about reviving the obsolete statutes of Edward 3rd and Richard 2nd.

Mr. *James Grattan* begged to thank the hon. member for Aldborough for bringing the subject under the attention of the House. It had been argued, that the hon. Gentleman had not gone into or proposed any detailed or definite measure. And why had he not? Because there were already on the Table of the House propositions of definite measures, resolutions of this House, and Reports of Committees upon this subject, which remained on the Table unattended to. Such being the case, he thought it was too much to charge the hon. Gentleman with being indefinite in the resolution he had proposed. That the propositions to which he had referred remained unattended to, somewhat surprised him, when the right hon. Gentleman (the Secretary for Ireland) had admitted and recognized the necessity of establishing Poor laws, and had acknowledged their principle in the bill he had himself introduced in the present Session, and to which he had this evening referred, making a provision for the sick poor. In reference to what had fallen from the right hon. Gentleman with respect to absentees, he (Mr. Grattan) begged to say, that he would preserve to every individual the right of residing wherever his choice dictated, but he should, notwithstanding, require that all such should contribute to the relief and comfort of the poor, and that every nobleman or gentleman should be bound to afford something to the support and maintenance of those he left behind him. The question of a provision for the poor of Ireland was one demanding early attention, and he was sure the question agitating Ireland for a Repeal of the Union, would never be settled until the laws were assimilated and the people of both countries were placed upon an equal footing. There were already two bills on the Table of the House, and in progress, involving two great and important questions to the people of Ireland—he meant the bill for the removal of the Irish poor, and the Tithe Commutation Bill, both of which tended to aggravate the distresses of that country, while any measure, tending to the relief of the poor was wholly unattended to; but they were told to wait until the next session of Parliament, when their wants would be considered. Indeed, all his (Mr. Grattan's) hopes for any measures of benefit to Ireland centred in the reformed Parliament. While the present system continued, there would be no end to the combinations of Rockites, Whitefeet, and other parties, from which so much misery had been entailed on the country. Both in 1819 and in 1822 Committees had sat to inquire into the condition of Ireland, and they had reported that her distresses arose from local causes, which could only be removed by such charges on the land as would afford a security to the peace and tranquillity of the country. He concurred in that opinion. Allusion had been made to the emigration system, and he was ready to acknowledge, that the system of emigration of Mr. Wilmot Horton had been productive of relief to Ireland; but with respect to what had been stated of the charitable institutions for supporting and relieving the sick, he would say, that the poor supported themselves, for they, in some way or shape, contributed the funds upon which they relied when distressed. He regretted the subject had not been taken up by the late Government, in the year 1825, but they turned a deaf ear to the cries of the Irish people, and what was now the consequence? Why, tithes were extinguished in Ireland. Would the Clergy of the Established Church have now been in the situation in which they were placed, if a different course had been adopted, and they had themselves come forward with petitions upon the subject? But they never stirred in the matter, and the result was their present distress. He felt convinced that some such measure as that proposed by the hon. Gentleman who had moved the resolution before the House was necessary, and he hoped the right hon. Gentleman, as Secretary for Ireland, would give it his support if brought forward on a future occasion.

Colonel *Perceval* had been requested by several gentlemen of the county of Mayo to complain of the manner in which the Grand Jury laws were administered, especially that portion which related to a provision for the poor, the object of which had been, on several occasions, frustrated by the Grand Jury of that county, who even had staggered the Judges themselves, when they had called their attention to that portion of the Grand Jury laws by which the intentions of the Legislature had been frustrated.

Mr. *Strickland* called the attention of the House to the Report of the Committee of 1825, and expressed his opinion to be, that it was absolutely necessary to raise the Irish labourer to the standard of the English labourer, or else the consequence would be, that the latter would be eventually overpowered by the influx of the former. It had been said by a noble Lord (Lord Holland), several years ago, "that it was easy to describe the sufferings and miseries of the poor, but that it was difficult to provide a remedy for them." Now he (Mr. Strickland) thought a strict, well-modified, and well-defined system of Poor laws would confer a great blessing upon Ireland; while he hesitated not to say, that a system such as practised in this country, particularly in the southern districts, would be an evil and a curse to that country. He should support the motion of the hon. member for Aldborough, if he pressed it to a division, because his (Mr. Strickland's) construction of the Resolution was, that some system of Poor laws should be introduced into Ireland; others might put a different construction upon the Resolution, but such was his. He, however, hoped that, considering the near approach of the end of the session, and indeed, of the end of the Parliament, the hon. Gentleman would content himself with having thus recorded his sentiments, and not press his Resolution to a division.

Mr. *Wyse* could not help availing himself of that opportunity to say, that the Church had taken every occasion of throwing those taxes which it ought to pay, on the shoulders of the people; for which reason it appeared to him, before any fresh burthen was imposed on the nation, that the Church ought again to pay those taxes which had so unjustly been imposed on the country: when this was done, they might judge how far the money of the nation would be required. If this point were settled, he should be prepared to go with the hon. Gentleman, who had always shown himself so anxious and so zealous on the subject; but, till then, the matter ought to rest in abeyance, and he should, therefore, suspend his vote, especially when it was to be given on such a motion as that presented this evening; for it should be observed, that the present Resolution went much further than that of last year, which merely stated that it was proper to support our fellow-creatures. The present Motion, however, went into details, though much too loosely; and it, therefore, pledged the House, not only to the opinion that it was proper to support our fellow-creatures, but that it was proper to support them in a particular manner. His objection to this Motion was, that, having once gone into detail, it had not gone far enough. It was neither one thing nor the other; and he, for one, therefore, must wait for something more specified and distinct. He was fully aware that there was a great difference between the countries: on this side of the water the poor man was sure of support; on the other side, such support as there was for him was disjointed and uncertain; and, therefore, he should contend, that some great change ought to take place, for the purpose of producing an assimilation between the state of England and Ireland. He agreed with the right hon. Gentleman, that the support of the sick and the maimed in Ireland had been a subject of frequent legislation, both in this Parliament and the Irish Parliament; and, so far from their not being provided for, there was, perhaps, a larger provision for them in that country than elsewhere; but, then, it had always assumed a heterogeneous shape, and wanted that system of regularity which had always proved so highly beneficial here. Besides, it was not afforded sufficiently early to do that good which might otherwise be effected. A family, for instance, gradually sunk, from want of sustenance, and was at length attacked with fever; the father was removed to the fever hospital, and died; his children shared his fate one by one. And why was this? The earlier wants of the family had been unattended to, and the Irish system of relief seemed to forget that prevention was better than cure. Surely, it would have been better to have expended the money in giving that man employment, and thus to have redeemed him in time from so deplorable a state of starvation. He did not, however, expect that one Session of Parliament would be sufficient to bring the House to a safe conclusion: such a subject must necessarily occupy a considerable portion of time; and his main objection to the hon. Gentleman's motion was, that it did not tend to direct attention to any special object. He gave him the fullest credit for benevolence of intention; and if the hon. Member had moved for leave to introduce a bill, he should certainly have had his support, because he was seeking information on the subject. It was of very little consequence whether the House pledged itself to the opinions expressed in the Motion, for in a few months that House would be no more, and the next Parliament would not hold itself bound by anything this Parliament might have done, but act, he trusted, on very different principles and views. Above all, he wished that this question should be suspended, now that the public mind was occupied by a very different subject—which subject was being solved day by day—and which, when solved, would put it in the power of the Legislature to come to a wiser and a juster conclusion on the question than was now proposed by the hon. member for Aldborough.

Mr. *Hume* said, a subject so important as the present required the most mature consideration, and it was his wish to pay the utmost attention to it; but he was sorry to say, he had not heard one argument from the hon. Mover that could induce him to vote for his proposition. The hon. Member ought to have made out the efficiency and advantage of the Poor laws, as they operated in England, before he required the system to be applied to Ireland. But the hon. Member did not and could not show that any advantage resulted from the English Poor laws. So far were they from conferring benefit, that the system, he believed, destroyed the independence of the people, without effectually relieving their poverty. The Poor laws threatened to swallow up the fee-simple of the land. The condition of the northern and southern districts of this country was very strongly contrasted: it would be found that in the former, where the Poor laws were not enforced in the same manner as in the latter, the people were morally and physically in a better situation than in the south. The same remark applied to the northern and southern parts of Scotland. He thought the hon. Member had not made out a case such as would justify the House in agreeing to his proposition. With respect to absenteeism, that was a question of serious import, much more so, indeed, than the hon. member for Aldborough seemed to think. The principle of taxing absentees more than others involved the question, how far the Legislature had a right to chain men to their property, or to compel them to change it; and it certainly must operate against the permanent interests of Ireland, if anything were done that should finally draw the capital from that country. He, therefore, hoped that this question would never be combined with that of the Poor laws, but that, whenever brought forward, it would be as a distinct and separate subject.

Mr. *Sheil* thought that there were two objections to the adoption of the hon. Gentleman's motion. The one was, that the House would thereby be only leaving a legacy to the next Parliament: it would be a sort of testament of recommendation from a Parliament already self-condemned, and in the agonies of suicide. The right hon. Gentleman had, with his usual tact, laid his finger on this part of the case, and all that he (Mr. Sheil) had to hope was, that he would further embody the idea in his Tithe Report, and leave the whole of that question also to the decision of the next Parliament. The other objection was, that the hon. Gentleman had not come forward with a distinct proposition. He (Mr. Sheil) had narrowly watched the progress of his speech: he certainly went over a vast range of amiable speculations, but he did not mention one specific object: he did not propose a Board of Management in the respective parishes; he did not say anything about the co-operation of the Clergy; and, in fact, he entirely confined himself to abstract principles. But why did he do this, when he was sure that the House would be looking for the means of entering into some safe and substantial measure? The hon. member for Middlesex had fallen into a mistake, in thinking that the hon. Gentleman proposed to apply the English system to Ireland. Indeed, all must admit that the machinery of this country did not work well, and the hon. Gentleman certainly did not propose to adopt it as the model for Ireland. The hon. member for Middlesex had, therefore, put into the mouth of the hon. member for Aldborough, arguments which he never used; but then the hon. member for Middlesex had done them the favour of answering those arguments with great ingenuity. The hon. Gentleman should also have recollected, that Scotland was situated very differently from Ireland. Scotland had enjoyed a long course of political ease; agriculture there had been carried to the highest point, so had manufactures; the Clergy there belonged to the religion of the people, and they therefore exercised an influence over the rich which could not be felt in Ireland. In Scotland the clergyman stood at the door of the place of worship, and made a collection for the poor—a collection not enforced by the law of the land, but by the law of public opinion. The clergyman acted as a sort of tax-gatherer; he used religion for the purpose, and he succeeded, even with the hard-hearted, because they were influenced by a feeling of shame. But in Ireland the minister of the poor did not stand at the church door of the rich. It was true, the Protestants of Ireland were a most charitable body; but their charity could not be brought into practice as in Scotland. No one could deny, that great misery had resulted from the clearing system. He trusted in God that the effect of that system would not be permanent; but, while it lasted, it must produce misery of the most appalling sort. It might be said that that system was not likely to prevail again. No; for it had done its worst: it had left a large deposit of calamity in several parts of Ireland. A system of Poor laws for Ireland would be premature, till such part of the Church property as was not required for the decent maintenance of the Clergy was applied to the support of the poor. And, while on this part of the subject, he would remind the hon. member for Aldborough, that, in his book on Ireland, he had very fully discussed those questions which related to the Church of Ireland. He (Mr. Sheil), therefore, begged to ask him how it happened that he had entirely omitted the topic in his speech of this evening? It was certainly *hiatus valde deflendus*. With respect to absentees, although there seemed no immediate connexion between them and the other part of the hon. Gentleman's motion, it was certainly difficult to touch upon one of those subjects without referring to the other. He rejoiced to find that the right hon. Secretary for Ireland, unlike a certain school of political economists, admitted that absenteeism was productive of great moral evil and pecuniary embarrassment; but, whilst he made that admission, he (Mr. Sheil) was sorry to see an objection raised in his mind as to the removal of the evil. He asked, how were they to distinguish between the proprietor of an estate, and a mortgagee residing in London? He would see, upon examination, that the evil arising from a mortgagee residing in London was only temporary; whereas, that of a proprietor not residing on his estate was permanent. For instance, he (Mr. Sheil) had an estate in Ireland; he mortgaged it to a London merchant; and, on his not paying the interest, he foreclosed, sold the estate, and things resumed their natural course. [Mr. *Stanley:* Suppose you pay the interest?] That was a fact assumed by the right hon. Secretary; but regularity with Irish mortgagors was certainly not often to be met with. The evil, then, arising from a mortgagee's being in possession of an estate was only temporary. Now, there was the Duke of Devonshire, who received 20,000*l.* per annum from the county of Waterford; and the rents of the estates from which he received it, had, in like manner, long been drawn by his ancestors. This, then, was a permanent drain of money from Ireland; but, if these estates were to fall into the hands of a mortgagee, and his interest were not paid, he would sell the land, and it would be distributed amongst various purchasers. It was, therefore, quite a mistake to compare the case of the mortgagee, who had only a temporary hold upon the soil, with that of an absentee proprietor, who was fixed and rooted in it. It had been said that no expedient to prevent absenteeism had ever succeeded; but, certainly, he did not think it could be denied that the attempt had been made more than once, with more or less of success. The Statute of Edward 3rd, and the Statute of Richard 2nd, had been referred to; and the latter had been pronounced, by high authority, to be just in principle, and salutary in its effects. In the time of Henry 8th, another Act was passed to cure the evil; nor must the House imagine they remained a dead letter, for let any hon. Member open the Statute-book, and he would find, under the head of the "Earl of Shrewsbury," that all the estates of the Talbot family in Waterford, were forfeited for absenteeism. Did he mean that there should now be forfeitures? Certainly not; but that in those Acts materials might be found for framing the provisions of a bill at present. Before the Union, an Act was passed in Ireland imposing a tax of 4*s*. in the pound on all pensions paid to persons absent from the country; and, in 1773, Mr. Flood made a motion, which was lost by only a small majority, for a two shilling tax on the estates of absentees. Such a proposition, therefore, was not quite so unprecedented as hon. Gentlemen might imagine.

Mr. *Spring Rice* was prepared to vote forthe motion for postponing the consideration of this matter for the present; but he should have been equally ready to vote had the question been so framed as to meet the proposition of the hon. Member with a direct negative. The grounds of his opinions upon this subject he had stated, at great lengths, on former occasions, and should not, therefore, occupy the attention of the House beyond a very few minutes. He concurred with the hon. member for Middlesex in all the statements of facts and principles which he had made; and rejoiced thatsuch a declaration of opinion had come from him, who, of all men, could not be suspected of being indifferent to the rights of the people, or the real interests of the poor. He (Mr. Spring Rice) objected, on principle, to any proposition, the effect of which, under colour of giving relief to prevailing distress or misery, would be rather to increase misery, and create a demand for relief greater than they had the means of supplying. He should at all times feel it his duty, as an Irishman, to meet any such proposition, in any shape, with a direct negative. With respect to the application of Church property to the relief of the poor, not only did he think the House had no right to take the Church property for that purpose, but that the objections he had to relieving the poor in that way would be greater than if the relief were to be given from the produce of voluntary assessments. When people were called upon to tax themselves, there was some check upon abuses; but if the power were given them of putting their fingers into the pockets of others, if the principle were vicious, then would it be applied in a more mischievous degree. With respect to absenteeism, he deplored it as much as any man; and had never mixed himself up with that school of political economy which, looking only to the pounds, shillings, and pence part of the question, and forgetting the important considerations of moral and political influence, had said that absenteeism was not an evil. He thought it was, but he was also satisfied, that if any attempt were made to remedy it by controlling freedom of action in any part of the country, the law which should so brand it, would inevitably be a greater evil than any benefit to be derived from it could counterbalance. Such a law could not be sanctioned by those who opposed themselves to any distinction being made between the two countries; and was it to be said, that Ireland was a country so hateful to those connected with it, that the humanity, the sympathy, which bound men in other countries to the performance of their duty, was insufficient for the purpose in Ireland, and that Irish proprietors were not to be trusted with that degree of moral and political liberty which was enjoyed by all Englishmen? Let the remedy for absenteeism be discussed as a proposition applicable to the whole empire, and not as a proposition applicable to Ireland alone. If it were an error, it was a grievous one: if it was a moral crime—and he admitted it to be one—to absent yourself from your estate, it was as applicable to Englishmen who resided abroad as it was to Irishmen. He must complain a little of his hon. and learned friend, the member for Louth, having, when speaking upon this subject, run down the credit of his country. He seemed to think that the punctual payment of interest was a rare exception to the general rule of neglect and foreclosure of mortgages, which, said he, bringing about a sale amongst residents, the evil of absenteeism ceased. If that were the case—if payment of interest were the exception, and not the rule—he (Mr. Spring Rice) knew enough of the money-market of London to say, that he might relieve his mind from the apprehension of any dangers he might think likely to arise from English mortgages; for he could assure him, that the security to be derived from the non-payment of interest, and the possibility of foreclosure, would not occasion a very great flow of British capital into

Ireland. But, suppose the estate to be sold, it was rather an Hibernian way of making Ireland rich, to send the purchase-money out of it to satisfy the English capitalist, who, of course, had been applied to because the money could be obtained from him on better terms than from an Irish capitalist. He now came to a point on which the hon. Mover was altogether mistaken, although he could not but do justice to the motives of humanity and benevolence by which he had been actuated. The wages of labour were regulated by the proportion of the supply of labour compared with the capital capable of being advantageously employed in its payment. The hon. Gentleman, however, had peculiar notions with respect to population. He thought that if a given number of persons were found to live in comfort upon a given number of acres, the same given number ought to live in comfort upon the same number of acres any where else, and, that, therefore, an idea of excess of population, if misery should be shown to exist among the labouring classes of any similar number of acres, was out of the question. The mistake of the hon. Gentleman existed in his omitting to take into account the amount of the wages of labour. He might have 100,000 people living in comfort if wages were high, but he might have 100,000 people living in a district of similar extent and fertility, miserable from the low rate of wages. The hon. Gentleman only looked to the question of area and the numbers of the people, which had no more to do with their comfort than if he measured the degrees of latitude and longitude within which they were placed. Provided the wages of labour were high it mattered not to the labourer whether he were employed by a resident proprietor or an absentee. It was stated by the hon. member for Middlesex, that a comparison of the state of Scotland, and the northern counties of England with that of the southern counties, would enable the Irish Gentlemen to judge how far it was desirable to introduce the poor-laws into Ireland. He would refer Gentlemen to the Report of the General Assembly of the Kirk of Scotland, and to the evidence of Dr. Chalmers, given before a Committee of which he (Mr. Spring Rice) had the honour to be Chairman, for a proof of the fact referred to by the hon. member for Middlesex—namely, that just in proportion as the poor-laws were adopted did the condition of the people become deteriorated. In the south of England, where the poor-laws had been so far perverted as to occasion the payment of the wages of labour out of the poor-rates, the condition of the people had been brought so low, that not two years since, their wretchedness made them throw the country into confusion. In Yorkshire and Northumberland, where wages were very little, if at all paid out of the poor-rates, the physical condition of the labourer was better; but his moral condition was much the same. In Scotland, the assessment principle had only made its way within the last 100 years into a few districts; but just in proportion as it was advanced was the condition of the people deteriorated. Dr. Chalmers stated the case of two parishes or districts in the town of Glasgow, which completely illustrated his (Mr. Spring Rice's) position. In one of these the principle of assessment had prevailed, in the other it had not. The pursuits of the people in both were precisely the same, so that they offered the very best possible test of the real nature of the assessment principle. A period of calamity came, attended with loss of employment and great distress. A subscription was raised for the relief of the poor, and it was found that there was less demand for relief in that parish where the assessment principle had not prevailed than in that where it had. He (Mr. Spring Rice) had dealt with the general principle; but in the present state of Ireland, there was no one evil connected with the Administration of the poor-laws in England, which, if they were introduced into Ireland, would not there cause tenfold distress and mischief. There was one point on which the peasantry of Ireland would bear a comparison with the peasantry of England, or of any other country in the world, and that was in the sanctity of the marriage tie, and in the affection for their children. He believed that one of the evils consequent on the introduction of a system of Poor laws would be to destroy the sanctity of that tie, and render a man comparatively indifferent to his children. Such, at least, had been the effect produced by the compulsory marriages which took place under the Poor laws in this country. He called, then, on the hon. Member, before he introduced the English system of Poor laws into Ireland, to withdraw from them the dross and the alloy with which their administration was mixed up in this country. When that was done, the experiment might be tried in Ireland; but until then, he (Mr. Spring Rice) should object to it. He thought it would be a serious evil if the peasantry of Ireland were taught to look to the Poor laws for a remedy for the evils of their condition; it would paralyse their industry, and induce them to depend on other means besides their own labour for their support. At the same time that he said this, he begged most distinctly to declare, that he should be quite ready to support a proposition to relieve those who by age, by disease, or by accident had become unable to support themselves; but he strongly objected to the introduction of a principle that would afford assistance to those who were merely unemployed, since he believed, that although in some cases, that relief might be most charitably afforded, the establishment of it as a right would only tend to deteriorate the condition of that peasantry whom it was intended to benefit.

Mr. *O'Connell* was glad that he possessed influence in Ireland, because it afforded him an opportunity of exerting that influence to guard the people against a delusion, which would have a most injurious effect upon their real interests. He admitted, that at first sight, the arguments in favour of poor laws seemed plausible enough, and were calculated to delude the people, because they impressed them with the notion that they ought to rely upon the pockets of their more wealthy neighbours for support, instead of their own exertions. It was true he had entertained a very different opinion at one time upon this question. He had since bestowed upon it all the consideration which it was in his power to bestow. He had reviewed it in all its bearings—weighed the arguments which had been urged in its favour—and, after a patient and minute investigation of the subject, it was his deliberate and decided conviction, that Poor laws would deteriorate the condition and debase the morals of the people. If his object had been mob popularity (a motive which had so often been ascribed to him), he ought to have pursued a very different course from that which he now adopted. Throughout his political life he had only supported such measures as he conceived would benefit his country; and it was because he was persuaded that the present one would have a contrary effect that he now opposed it. He thought that injustice had been done by some hon. Gentlemen to the hon. member for Aldborough, in imputing motives to him in bringing forward this proposition. On the other hand, he also conceived that other hon. Gentlemen had been too lavish in their commendation of his conduct. They gave him credit for too great a share of philanthropy in favour of Ireland—they gave him too much glorification for his extra purity and disinterestedness of purpose, without making a proper estimate of the benefits which they were to receive in return. He would beg of the hon. Gentleman to turn his philanthropy to something practical. He did not, for his part, fancy that species of charity which put the four fingers and thumb into the pockets of a third person; for no philanthropy was more easy and imposing than that which vented itself in taxing other people. In the first place, he thought that Poor laws were calculated to widen the breach between the higher and lower orders of the people, which was so much to be deplored in Ireland. If the rich were compelled to support the poor, their hatred for that class would be increased, and this, in itself, he thought, would be a great evil. Institutions for the relief of the sick and the suffering were very different in their nature from Poor laws, and did not hold out discouragement to industry; for instance, no man would voluntarily break his leg, or incur a fever, merely for the gratification of getting into an hospital. To this extent, and under such circumstances, he admitted that the poor were entitled to relief, but he denied that the right went one whit further. No one would be found to say, that the man who was wilfully idle ought to be supported at the public expense. Now, how were they to ascertain whether a man was wilfully idle or not? They should have some tribunal to decide. The farmer would have an interest that the poor should be employed at the public expense—that the price of wages should be reduced. It was, therefore, clear, that a person so situated, having these temptations before him, would not be exactly the person adapted for the discharge of these duties. Then, if it were left to the landed proprietors, they would also take care to shift the burthen off their own shoulders; so that, in whatever light the subject was viewed, it was surrounded with insurmountable difficulties. He knew that the poor, both of England and Ireland, had great reason to complain. Their poverty and distress was brought about by the heavy and grinding taxation, which the people were no longer able to bear, resulting from the crimes of former Governments, which had taken the property of a mighty nation into its own hands, and squandered it, with a shameless profligacy, upon unnecessary wars. He trusted, however, that they were now returning to a natural system, and that all those evils would, in time, be greatly mitigated. He did not mean to assert, that if property was willed to the poor, it should not be rigidly applied to the purpose of the owner; he only meant to deny the abstract right of the poor to relief at the expense of his more prosperous fellow-subjects. The advocates of the abstract rights which he thus denied, admitted that they would not extend relief to those who had the opportunity and the power to work; but he would ask, would not the inquiry into the fact, whether an applicant was able or unwilling to labour, be placing the applicant in the condition of a slave—and whether, therefore, Poor laws, as implying slavery on the part of those who thus obtained relief under their provisions, was not prejudicial to the independence of the national character? There was, however, another powerful reason to which he might confine himself, and into which all the others he had stated might be merged. When he saw the most powerful, wealthy, and intelligent nation upon the earth, a nation of all others most deeply interested in discovering a remedy for the monstrous abuses of their own system of Poor laws—when he saw this mighty nation engaged for upwards of half a century in examining the institutions of other countries, in sending emissaries to every quarter of the globe, and using every exertion which the combination of splendid intellect and unwearied industry could achieve—when he found that all those things had failed, and that no man had the hardihood to stand up in that House and propose a plan for their amendment, or even a partial mitigation of the abuses which were admitted to prevail to a frightful extent in the system—with such evidence as this before his eyes, could he, without an abandonment of all those principles by which public men should always be regulated in the discharge of their public duties, vote for the introduction of Poor laws into Ireland?

Mr. *Hunt* observed, that the hon. and learned member for Kerry had changed his opinion with respect to the expediency of introducing a system of Poor laws into Ireland. The hon. and learned Member was a man of observation—from observation came experience, and from experience often a change of opinion. Hence the declaration of the hon. and learned Member that evening. He hoped, however, that the hon. and learned Member would go on to observe, and to change his opinion again. It was almost impossible to suppose that the hon. and learned Member's opposition to the Resolution moved by the hon. member for Aldborough could arise from any selfish motive. The hon. and learned Gentleman was a most disinterested person, actuated by no motive but a desire to promote the general interests of the country, and the happiness of his countrymen. With that desire uppermost in his mind, he had become an advocate for the Repeal of the Union. But it seemed that if the Poor laws were introduced into Ireland a Repeal of the Union would become unnecessary—the wishes of the people would be satisfied. On the other hand, it became apparent, that if a system of Poor laws were not introduced, a Repeal of the Union must take place. Now, was it possible that the hon. and learned Member could have a personal interest in the Repeal of the Union—was it possible that he could be a little blinded to the interests of his suffering countrymen by any interest of his own? For his own part, he (Mr. Hunt), thought that the best results would follow from the introduction of the Poor laws into Ireland, and for that reason he should give his cordial support to the Motion of the hon. member for Aldborough.

Mr. *Callaghan* said, that as upon every occasion when the subject of a legal provision for the poor of Ireland was before the House, he had given it his humble advocacy, he would not then trespass on their time, by any repetition of what he had before stated; but he would express his regret that the hon. mover of this Resolution had confined his exertions on this occasion to a simple Resolution, without proposing what, after the last debate on this subject, the House had some reason to expect from him; viz. a Bill, or substantive plan, for effecting the humane object he had in view, which would enable the House to deal with the subject more fairly than by allowing so many to believe that he had in view Poor laws similar to those which existed in England. He had also to regret that the hon. Member had mixed up with the question of a just provision for the poor, the other intricate question of Absentee laws, agreeing, as he did, with the right hon. member for Limerick, that the question of absenteeism was a general one; and, though the evil unfortunately pressed upon Ireland more heavily than elsewhere, he would rather it were treated not as an Irish, but as a general question, on its particular merits. He could refer with pleasure to most of the sentiments expressed by the hon. member for Middlesex, whose facts and principles he could not deny; but there was one of his conclusions on which he would remark. The hon. Member stated that, in a natural state of society, where every man was left to his own resources, and had no pension or tax to resort to, he would providently guard against the evil day, and if, by any great casualty, a period of destitution should unfortunately arrive, the poor man would be certain to receive the charitable assistance of the higher orders. He would say, that Ireland presented the exception to that rule, for there the poor had no fund whereon to rely, that periods of destitution were continually occurring, and that it was allowed upon all hands that its relief was not adequately supplied by the charitable feelings and donations of the rich, however great these were, and however honourable to the feelings of the great majority of the better classes, in the cause of charity. It was because of this frequency of a state of destitution by sickness, poverty, and want of food, that he was anxious to have established some better means than at present existed, of providing for the poor of Ireland, and that he had hoped a Bill for that purpose would be introduced, satisfied that until then the march of distress would go on, and the evil be continually increasing. He thought the difficulties in framing a plan not so great as others did. His notion was, that the amount to be expended for the support of the poor should be regulated by, and be optional with, those who were to pay it, and that amount determined annually; that the levy should be compulsory in such proportions as were just upon the landlords and tenants. The right hon. Secretary to the Treasury, and others, held that there in fact did exist in Ireland at present a Poor-rate, because all the afflicted poor were provided for by funds raised by presentments of Grand Juries; but he had to state to the House that this very system was one becoming very grievous to the householders and inhabitants of towns in Ireland; that the Cholera Bill which the right hon. Secretary for Ireland had introduced, and which was now in operation in Ireland, was felt not to be placed on a just basis, for all the weight of taxation by it fell upon the occupying tenants, and not upon the landlords. He had had some petitions from the city which he represented, complaining of this, which he should have to present to the House as soon as he could do so consistently with the plan laid down for petitions, and which he hoped the right hon. Secretary would attend to. The House had to deal with facts. Ireland was continually overcharged with poor. There existed not sufficient means by law to relieve them. The charity of the higher orders was great; but there was no compulsion upon them by law, and several proprietors found it convenient not to contribute. It was to oblige such people to contribute that he would look for a law. His constituents believed that for this they had a precedent in the case of the Scotch Poor law; for that there the heritor, or landlord, was obliged to contribute in a greater proportion than the householder or tenant. The poor of Cork were continually increasing; the poor of the estates of all the neighbouring gentlemen were continually pouring into the city, to add to the stock of healthy labourers, and the aged and feeble poor citizen was left without work or provision in his old age. A general Poor-rate would prevent this; and without it he saw no end to the misery which the towns in Ireland would have to bear with. He had attended anxiously to all the debates and inquiries on this subject, since he had the honour of a seat in the House, and he had heard nothing that could shake his confidence in the opinion he had heard delivered before a Committee of the House by Dr. Doyle, that the 43rd of Elizabeth, which gave a system of Poor laws to England, was the Magna Charta of the poor. The abuses that had since grown up in the system might or might not be capable of correction; but a system which he hoped to see adopted for Ireland should have guards against such abuses, the principal of which was, perhaps, the payment out of the Poor rates by the farmers who distributed them, in reduction of the wages of the poor for their own benefit. This, he had heard was capable of correction by the attention of the landlords themselves, who absented themselves from vestries, and from the control of the Overseers and their expenditure. With the abuses of the system he had nothing to do but to guard against them. He was told, that enough public institutions existed in Ireland to relieve destitution; he knew that destitution existed there, nevertheless, to a frightful extent; he knew that no man, in any state of society, would lie down and die—that he would make some exertions to live—and rather than die would rob. To guard against such a contingency was the duty of society, and, as the poor must live and be supported, he was for maintaining them by a system, instead of having the country without a system, as at present. Until this was established, he could not think the peace and happiness of Ireland properly provided for, or that the Government had done its duty to the people. Much had been said in the course of this debate on which he might comment, but he thought he should best discharge his duty, by confining his remarks as much as possible to show what he was anxious to impress upon the House, that a necessity existed for legislating further for a provision for the poor of Ireland.

Mr. *Lambert*, in support of the Motion, said, that Dr. Doyle had so fully exposed the cant and hypocrisy of the objection to Poor laws, founded on their alleged tendency to narrow the channel of voluntary charity, that he need only refer to that able divine's pages. The learned member for Kerry objected to Poor laws, because they tended to make the poor cringing, and whiningly dependent upon the voluntary charity or capricious beneficence of the rich; but surely the moral and social dignity of the poor was best preserved by enabling them to demand as a right, what the learned Member would make them cringe for as a boon. Why should not the rich landed proprietor—particularly the absentee—be compelled to contribute to the support of those persons to whose labour he was wholly indebted for his wealth and leisure? Was it not a notorious fact, that in Ireland the absentees and great proprietors wholly neglected their duty to the poor, and would continue to do so till compelled by a legislative enactment? Then, in Ireland there was no provision for illegitimate children; the wretched mother had to bear the whole expense and ignominy. Was it wonderful, therefore, that infanticide should occur to her thoughts? And was not Dr. Doyle borne out in stating, that he should prefer twenty illicit intercourses and their consequences between the sexes, to the chance of a single mother's being forced by shame, or the consciousness of being the only sufferer, into the crime of child murder?

Mr. *Slaney* said, it was easy for hon. Gentlemen to say, that benevolent feeling called upon them to adopt the Motion of the hon. Gentleman opposite, but his (Mr. Slaney's) firm belief was, that if the system of Poor laws prevalent in this country, were transferred to Ireland, instead of diminishing evils there, which no man deplored more sincerely than he did, it would have the effect of increasing them. Hon. Gentlemen from the sister kingdom might not know, that the English Poor laws divided themselves into three branches, which were all distinct from each other. In the first place, there was the law of rating, with respect to which the hon. Gentleman opposite had not said a single syllable. That was a most complicated and difficult part of the English law, and had furnished more cases to puzzle the sagacity of lawyers than any other. The hon. Gentleman had not touched upon it; but he would beg leave to say a few words with respect to it by-and-by. Next came the law of settlement, which was also exceedingly complex. The hon. member for Limerick had referred to some of its difficulties; but if Irish Members would look to its different heads—at the minute differences which existed in it—at points of division which would excite laughter, if it were not for the expense to which they had put parties—they would pause before they adopted that branch of our law. The third, and most important branch of all, was the law of relief. This divided itself into two parts, perfectly distinct from each other; first, there was the relief of those who by misfortune, by accident, or any natural defect, were unable to assist themselves. These were a large class, to which the law of England directed assistance to be given; and, as far as regarded that class, provision should be made for it in Ireland,

and this might be done in a way so as completely to cut it off from another large class to which he should presently refer. But it was unfair for Gentlemen to say, that the Government appeared to feel an indisposition to give due consideration to an alteration of the law; for the right hon. Gentleman below him had said, that he had already made experiments for the purpose of endeavouring to see how far it might be politic to introduce some provision, at least as far as regarded those who were the objects of everybody's pity. But it was the second class which caused all the difficulties they had to contend with. Was it right to give every able-bodied man a right to say, "You shall employ and support me?" It appeared doubtful to a Committee which sat upon the subject of the Poor laws, whether the Act of Elizabeth gave that right at all; but custom had given it in most parts of England, and the question now was, whether, in giving assistance, it should be given in the form of work, of money, or of something else. He had ever contended that in giving that assistance, it ought always to be in the shape of work, for that the idle man, truly speaking, did not want. Now he would venture to say that, as regarded the application of the Poor laws to Ireland, no good would be done to the poor of that country, by introducing this part of the English law; but that, on the other hand, the greatest possible evil, by relaxing all that desire which they now had to exert themselves. He did not say this upon his own humble judgment merely. Far from it; for it was the unanimous opinion of all who had looked closely into the subject. How had the law in this respect worked in England? There were many instances of a man not worth sixpence, taking a pauper by the hand, marrying her, openly declaring that he intended to come upon the parish for the support both of her and his children. In point of fact, the law stimulated to improvidence, and was beneficial neither to the rich nor the poor. Experience would prove this. England divided itself into two districts with reference to the administration of the Poor laws. In the southern counties it had been the habit to allow every able-bodied man so much for every child, so much for cottage-rent, and so much for other things; and if he stated himself to be without work, none was given him, but he was shut up in a yard to play at marbles. In Sussex the rate amounted to 7*s*. in the 1*l*. throughout the county, and it was equally high in several other counties—but were the poor there happy—were they contented—were they as we should wish the peasantry of our kingdom to be? Let the House look to what had taken place within these two years in those counties for an answer. A very different system, on the other hand, prevailed in Northumberland and other northern counties: there the wages of the people were good, and the Poor rates were low, and there that independent spirit prevailed amongst the people that ought to prevail in this country. Now, if such a system as he had described were to be introduced into a poor country like Ireland, it would absorb all property, and render the whole people a mass of paupers. He was far from contending that nothing should be done upon this subject. On the contrary, much benefit would arise from permitting certain persons in Ireland to tax themselves for the purpose of providing relief for a particular description of poor. If, however, Parliament should establish a permanent system of Poor laws in Ireland, and make the relief of the poor compulsory, the evil would be perennial. He was, therefore, disposed to restrict the interference of Parliament upon this question, to giving to benevolent landlords the power of assessing themselves, for the relief of the poor, in particular emergencies. It occurred to him, that a powerful reason for inducing the House to abstain from pledging itself to the expediency of introducing the English system of Poor laws into Ireland, was to be found in the fact that, at the present moment, a Commission, appointed by his Majesty, was sitting to investigate that system. Before long, in all probability, that Commission would make a Report, pointing out what part of the present system ought to be retained, and what part was defective and should be abolished. He appealed to the House, whether it would not be an unprecedented proceeding, whilst this Commission was sitting, with the view of suggesting alterations in the Poor laws, that this House should pledge itself to introduce the system unrevised, and unamended, into a neighbouring country? He was not the enemy of a wise system of Poor laws—he would give the utmost extension to that part of the system which provided for the maintenance of the impotent and aged who were stricken by misfortune. There was one thing much wanting in our system of Poor laws, and if no person of greater influence than himself should endeavour to supply it, he would pledge himself to do so before long: he alluded to the want of any provision for the education of children of paupers who became chargeable to their parishes. He was prepared to maintain that such a provision was necessary even upon the ground—the paltry ground—of saving. If parishes wished to diminish expense, let them teach the children of the poor the way in which they should go. In the greater part of the country parishes these unfortunate children had scarcely any education at all. The consequence was, that when the time arrived for apprenticing them, masters refused to take them; and, being thrown upon their own resources, they, in most cases, became vicious members of society. If one-tenth of the sum which was applied to the relief of the aged poor were devoted to the education of the young, there would soon be a great improvement in the moral condition of the lower classes. He did not feel it necessary to detain the House longer upon the subject. He would only say, that whilst he agreed with the hon. member for Aldborough, as to the necessity of providing for the relief of the impotent and aged poor in Ireland, he would oppose the introduction into that country of that part of the English Poor laws which provided for the support of able-bodied men at all times, whether they were idle or industrious. The introduction of that part of our system would be injurious to the Irish peasantry themselves: and, on these grounds, he must, reluctantly, vote against the Motion.

Colonel *Conolly* deprecated incautious attempts to legislate on this important subject. Those persons who wished to introduce the Poor-laws into Ireland were unacquainted with the working of the system in this country, and totally ignorant of the state of Ireland. He was anxious to see a provision made for the poor and infirm, but the extension of the whole system of Poor laws to Ireland would deteriorate the condition of those whom it was intended to benefit.

Mr. *Ruthven* saw no just ground for opposing the resolution which had been brought forward by the hon. member for Aldborough. He was decidedly opposed to the introduction of the English Poor law system into Ireland; but that a strong necessity existed for some measure of this kind, however modified it might be in its details, he entertained not the slightest doubt. He hoped and believed that the people of England were not indifferent to this question. He regretted it was not brought forward at an earlier period of the Session, but even late as it was, he thought the present state of Ireland—the misery and destitution of the people—the crimes and disturbances arising from this misery—the unfeeling conduct of many of the proprietors of the soil towards the destitute poor—all these considerations, he trusted, would induce the House to accede to the resolution of the hon. member for Aldborough. He differed widely in opinion from the hon. Member who conceived that the Resolution of the hon. Gentleman pledged the House to any specific plan. It merely said that it was expedient to provide some plan of relief for the destitute poor of Ireland. This he conceived to be the first question. This House ought to decide, having once admitted the principle, that it was expedient to introduce some measure of this description. The consideration of the plan and detail might form the subject of future deliberations. He repeated, that the hon. member for Aldborough had not been treated fairly on this question. He conceived his opinion entitled to just as much weight as that of any of the Committees which had been sitting for several years back on the state of Ireland, which had printed four folio volumes, and, after all this labour and fuss, just left the country in the condition in which the Committee found it, without introducing one single practical measure of amelioration. The right hon. Secretary for Ireland asked, what plan did the hon. Gentleman propose. This, he repeated, was not the time for the plan. It was a question of great difficulty, at least as far as related to the details; but he had heard no argument which could convince him that he ought not to vote for the principle. The right hon. Secretary had himself brought forward a resolution on another question of great difficulty also, and yet no objection was made to his proposition on the ground that he had no plan. He knew not whether the right hon. Secretary had yet determined upon a plan; but this he would tell him, that the people of Ireland had adopted one of their own, which was likely to supersede all the legislative enactments which the right hon. Gentleman might pass upon the subject. This state of things was precisely owing to the manner in which Ireland had been always treated in this House. It was either too late or too early to bring forward any measure for her relief, and the consequence was, that the people, finding their petition and remonstrance unavailing, determined to redress and relieve themselves. He now warned the House how they rejected this proposition. When any measure intended to benefit the Church was brought forward, they heard nothing about the inconvenience of the period at which it was proposed. Irish Poor laws were matters of too much importance to be entertained in the present Parliament, but Irish tithes were looked upon in a very different light. He again repeated, that the proposition of the hon. member for Aldborough had not been met in the spirit of fairness which the character of the hon. Gentleman and the importance of the subject demanded. He trusted the House would not allow the right hon. Gentleman to get rid of this proposition by moving the previous question. If they did, the people of Ireland would only receive it as another instance of the contempt with which they were treated in that House. Negative the proposition if you will, but he would protest against getting rid of it by a side-wind. With regard to taxing absentee property, he was of opinion, that the consideration of this portion of the subject might be postponed. He did not think it expedient to bring it forward at this moment, but the measure should have his cordial support whenever it was introduced. He regretted that his hon. friend, the member for Kerry, did not concur in his view of this question. He (Mr. Ruthven), however, felt convinced that Poor laws would benefit his country, and, entertaining that opinion, he should always openly avow it. It had been frequently said, that hon. members from Ireland were under the dominion of the hon. member for Kerry; that their opinions were controlled by him, and that those who were in the habit of supporting him, were influenced by other motives than those which ought to influence an independent member of this House. He, for his part, repudiated this assertion—he had always acted with perfect independence, and every vote he gave in that House was regulated by his own sense of duty, and with the view to benefit his country. He supported his hon. friend, the member for Kerry, when he thought that he was right, but he opposed him on every occasion when he thought otherwise. One of his reasons for advocating the introduction of Poor laws was this, the landed proprietors of the country, they who ought to contribute to the relief of the poor, did not fulfil this duty, and the consequence was, the burthen was thrown upon the middle classes of the people. In proof of this he would refer to a case in the county of Mayo, during the late famine in that county, when a landed proprietor, of extensive property, refused to contribute a farthing, although some of his tenants were literally starving. There were other cases of a similar description, which had been mentioned in the public papers. Now, he would put it to the House, ought such a state of things to be permitted in a civilised country? Ought the population to be allowed to starve, while the landlord pocketed the product of their labour, and contributed nothing towards their support? Did hon. Gentlemen mean to say, that it was better to have paupers roaming in hordes through the country, than living within the limits of their own parishes? It was a common practice with some landlords to send their tenantry to beg on the estates of other individuals. The only remedy he saw for this crying evil, was a well-regulated system of Poor laws. He thought the resolution of the hon. Member would lead to this. It should, therefore, have his cordial support.

Mr. *John Smith* said, that he was anxious to address the House on this occasion, because circumstances with which he was closely connected, not many years since, had given him no slight acquaintance with the poverty of Ireland, and he must own, that it appeared to him almost incredible that the House should not eagerly embrace any plan which might be offered to them for putting an end to the dreadful calamities which had resulted from the distressed situation of the Irish peasantry. It was proved by evidence which was removed beyond the possibility of doubt, that in the year 1822 a great number of individuals perished by hunger, and that a much greater number, from insufficient nourishment, was attacked by typhus fever, and other lingering disorders, of which, in the end, many died. The hon. Member who last addressed the

House stated, that a person of large property in the county of Mayo, having no feeling for the poor destitute peasantry in his neighbourhood, refused to subscribe one farthing for their relief, but left them to perish, as they would have done if assistance had not arrived from England. That fact he knew. He would not mention the name of the individual—it would not be fit to do so; but he knew the fact. This was not a solitary case: he knew many others like it. He was not one of those who undervalued the Irish character. On the contrary, he very highly estimated it, from the experience he had had of the good qualities of the lower classes of the Irish. In the course of his life he had had in his employment many poor Irishmen, whom he had found in a state of dreadful destitution, and who remained with him for seven, twelve and some eighteen months. These poor men had but one fault—to him individually it was a great one—excess of gratitude. He heard strong language used in this House on the subject of slavery—stronger than he thought ought to be employed—but the most highly-coloured picture of the wretchedness of the slaves in the West Indies could not exceed the reality of the misery of the Irish peasantry. If that House should suffer their Irish fellow-subjects to languish longer in their horrible state of destitution, they would participate in the crime of those of their own country who barbarously refused to afford them any relief. There had been a great deal of poverty in England, particularly of late years, but there were no instances of assassination—of shooting Magistrates—of setting houses on fire for the purpose of burning the inhabitants, or any of the other dreadful atrocities which were constantly occurring in Ireland. The reason for this difference in the conduct of the people of the two countries was to be found in the system of Poor laws, which in this country rescued the poor from starvation; but in Ireland there was no such resource. From the turn which the discussion had taken, it might be supposed that his hon. friend had submitted a proposition for introducing the system of Poor laws at present existing in this country, into Ireland. No man could oppose such a proposition more strenuously than he would, but the fact was, that his hon. friend only proposed that the House should declare the expediency of providing for the relief of the poor in Ireland, by an imposition on the land in that country. He thought that it would not be very difficult to frame a plan for assessing the land in Ireland, for the relief, not of able-bodied peasantry, but of wretched, helpless individuals, children, aged, sick, and perishing mortals, of whom England occasionally heard such disastrous accounts. In 1822 an enormous sum was subscribed by the people of this country for the relief of the Irish poor, and he would take the liberty of asserting, in contradiction to some statements which had reached his ear, and which were entirely destitute of truth, that the whole of the money so subscribed was honestly and fairly distributed. Since that period another famine had taken place in Ireland, which, though not so afflicting as the former, was, nevertheless, the cause of great sufferings. On that occasion he exerted himself in order to raise a subscription; but, with few exceptions, he found the hearts of the people of England closed against the distresses of their Irish fellow-subjects, and the sum obtained was trifling in amount, compared with that to which he had before adverted. If the calamity of famine should a third time visit Ireland, it would be in vain to appeal to the people of England. Nothing would be obtained from them. Often was he told by those to whom he applied for subscriptions, "We have poor enough of our own." The Bank of England contributed liberally to the first subscription for Ireland, but refused to give anything to the second. Other wealthy Companies, who were liberal on all occasions, acted in the same manner. He repeated, therefore, that if Irish distress should again occur, it would not be again alleviated by English benevolence. If hon. Members knew one-fiftieth part of the scenes of horror which occurred in Ireland, at the periods to which he alluded, they would, in spite of every consideration, fly at once to some measure of relief. Children perished by the road-side, multitudes subsisted on the weeds which they picked up on the sea-shore, and others sold their clothes off their backs to purchase a morsel of food. He did not wish to say anything disrespectful to the Irish gentlemen, but he must declare that he thought he observed amongst them less sympathy for the poor than was evinced by persons of the same rank in England. Perhaps this might arise from the Irish gentlemen not seeing much of their poor countrymen in consequence of not living amongst them. If some regulations for the relief of the poor should be enforced in Ireland, they might, perhaps, have the effect of inducing the gentlemen of Ireland to reside at home. He also desired to see a system of relief for the Irish poor established, in order that they might not be driven to the necessity of coming over to this country to beg, for that he would maintain they did. The presence of the bands of poor Irish in this country often led to serious disturbances, for they were viewed with a jealous eye by the English labourers. These men pretended to seek for employment, and perhaps they would work if they could get anything to do, but begging was their trade, and they were exceedingly expert at it. In conclusion, he thought that the establishment of a system of relief for the poor would tend to tranquillize Ireland, and to benefit the whole empire.

Mr. *Sinclair* supported the Motion. Unless some measures were taken to provide for the Irish at home, they would swamp both the English and Irish labourers, and, therefore, he would give his strenuous support to any measure which was likely to have such a beneficial effect.

Mr. *Gally Knight* also supported the Motion, but said, that no measures would be productive of any benefit in Ireland, unless tranquillity were established there; and, therefore, he hoped that all persons who possessed influence in Ireland would employ it in endeavouring to establish order there. There was no one, however, connected with Ireland who did not anticipate as part of the beneficial results from the introduction of a system of Poor laws, that they would tend to establish order.

Lord *Oxmantown* saw no reason to suppose that the plan of a provision for the poor, which the hon. Gentleman contemplated, would have the effect of raising the wages of labour in this country, by keeping the Irish labourer at home; for so long as the wages of labour in England remained in the slightest degree higher than in Ireland, so long would the Irish peasantry come here in search of work. It was, therefore, a most mischievous error to maintain that the establishment of a provision for the poor in Ireland would have the effect of improving the condition of the English peasant.

Mr. *Blackney* took great blame to himself for not having been present at an earlier stage of the debate. He was at all times ready to support any measure which might be calculated to better the condition of the Irish people, whenever he could see any reasonable chance of its being carried into effect. The suffering and extreme destitution of the people of Ireland were owing to oppressions of long standing, arising from heavy burthens inflicted upon them in the shape of rack-rents. Absenteeism was also another fruitful source of evil, because it drained away a large portion of the capital of Ireland, a shilling of which was not appropriated to the improvement of the country, or the employment of the people. To this might be added that ill conceived and badly constructed measure, called the Subletting Act, which empowered the landlord to turn out his poorer tenantry, without providing them any means of employment. By this iniquitous measure, thousands of families were driven from dwellings which their forefathers had held for years, and, while this law sanctioned this violation of the most sacred principle of humanity—while the Government had been looking on at its disastrous effects, no steps were taken, up to this hour, to remedy the evil, or counteract its frightful consequences. Was it, from this state of things, to be wondered at that disturbances existed in Ireland? It would be indeed a wonder if it were otherwise. There was a point of suffering beyond which human endurance could no longer contain itself, and the starving, despised and infuriated peasant, in the blindness of his desperation, wreaks his vengeance on his oppressors, destroying and sacrificing human life and property. These were the results of the abominable system he had described, and nothing but a provision for the poor could save that unfortunate country from destruction. He begged to express his gratitude to his hon. friend, for his perseverance in bringing forward this measure. He had every hope, from what occurred upon a former occasion, when a similar proposition was only negatived by the trifling majority of twelve, and from the declaration then made by the noble Lord, the Chancellor of the Exchequer, that no opposition would be offered on the present occasion. He knew an instance of a noble Lord, who had large estates in the part of Ireland with which he was connected, and who, with an income of 60,000*l.* a-year, spent but 100*l.* in Ireland. His visits to that country were like those of angels, "few and far between," and were generally paid in the month of June, which is the sheep-shearing season. Thus, while the people were employed in shearing the sheep of their superfluous wool, his Lordship was also assiduously engaged in a pursuit of a similar nature; and, after fleecing his tenantry of their cash, he packed it up carefully in his breeches pocket, took his departure for the shores of old England, and was never seen again in Ireland until the "shearing" and "fleecing" season arrived. He assured the House that he stated a fact, and there were countless facts of a similar character in other places. The hon. Member concluded by supporting the Resolution.

Mr. *Sadler*, in rising to reply, said, he should not detain the House long at that late hour, especially when so much time had been already consumed by the debate. In answer to an observation made by a right hon. Gentleman opposite, he begged to state, that he was prepared with a bill upon the subject; but, from the little prospect there was of carrying it through at so late a period of the Session, he would not then introduce it to the House. The right hon. Gentleman himself admitted that some provision was necessary for lunatics, and those unhappy persons who might be afflicted with fevers, but he declined to give relief to the able-bodied labourer. The right hon. Gentleman must be aware that an able-bodied labourer, who could not meet with employment—and how many thousands were in that deplorable condition?—might, within forty-eight hours, be reduced by sickness to such a state as came within his admission. The hon. Member who spoke last alluded to the case of some absentees receiving a large income from Ireland, and spending little of it there. He did not propose to make any difference in the case of absentees, but just that they should contribute in Ireland to the support of the poor; that they should perform the same duty there which the law compelled them to discharge here. The father of political economy, Adam Smith, said that, perhaps, absentees were the fairest subject for taxation. While they declined the performance of every other duty in Ireland, they should not, at least, be exempt from that of contributing to the support of the poor. He would not, however, then go into the subject of absenteeism, although so much had been said relating to it; neither would he go into any arguments which had been advanced against the system of English Poor laws, which it was supposed by some Members, notwithstanding he had repeated again and again that he had no such intention, he was seeking to introduce into Ireland. He must confess his surprise at hearing the objections of the hon. member for Middlesex, against a system of poor laws. Those objections were founded in a total ignorance of the subject. The fact was, that the portion allotted for the support of the poor here had diminished since the time of Queen Elizabeth, in proportion to the total revenue of the country. In her time it was half as much as the total revenue; and a century after, in the reign of Charles 2nd, the total amount raised in the way of poor-rate was 665,000*l.*, a greater sum, in proportion to the revenue of both periods, than that collected now for the same purpose. The hon. Gentleman considered them as discouraging to industry. "Adieu to exertion and industry," argued the hon. Member, "in every country in which there are Poor laws established." Let the hon. Member, however, point out, if he could, an illustration of his assertion. The hon. Member also complained of the Poor laws, as encouraging extravagance and destroying foresight. He appeared to think it possible for the labourer to save sufficient to keep him in old age or sickness. This could not be the case at the present very low price of labour. This was a species of doctrine which was not acted upon by Government, for why were pensions granted to Chancellors, Judges, and other officers? Men filling these high situations were not paid with a sparing hand, and yet they were provided for by pensions; and why hold one doctrine for the rich and another for the poor? The labourers of the north of England were better off than those of the south, because they were hired the year round: they had their cottages and gardens, and thus their character was preserved. He totally denied that Poor laws had destroyed the industry of the English labourers in husbandry. No men worked harder, or were more willing to work, when they could procure employment. He denied, too, that the Poor laws destroyed sympathy for the poor, or withheld the hand of private charity. When Ireland saw the dying and the dead lying together in one scene of suffering and sorrow, the appeal to the absentees did not call forth a larger contribution than 83*l.* Wanting Poor laws in Ireland, they saw nothing but want and mendicity, human destruction, and armed police, and the establishment of those laws would alter the horrible picture. This question, which he had to-night again introduced, however it might be treated by the House of Commons, could not be turned aside, for, in fact, it was one which was gaining ground in the estimation of the country. Every hour that the people of Ireland were deprived of what he would venture to call their rights, added to the injustice from which that country suffered. The people of England—the people of Ireland, demanded a provision for the poor; and never, at any time, was there a greater impression out of doors of the necessity of such a provision for the people of Ireland than at present. Whilst they delayed the act of justice for which, he contended, they committed an offence, and for that offence they would have to answer to God and man. He did not call upon the House of Commons to pledge itself to any particular measure, but he was anxious to have its recorded vote upon the Motion which he had that night submitted.

The House divided on the Motion:—Ayes 58; Noes 77—Majority 19.

List of the AYES.

Attwood, M.
Blackney, W.
Blamire, W.
Bentinck, Lord G.
Bourke, Sir J.
Briscoe, J. I.
Buller, Sir A.
Bunbury, Sir H.
Calcraft, G. H.
Callaghan, D.
Curteis, H. B.
Doyle, Sir J.
Ellis, W.
Encombe, Viscount
Estcourt, T.
Evans, Colonel
Forbes, Sir C.
Forbes, J.
Grattan, H.
Guise, Sir B. W.
Halse, J.
Hodges, T. L.
Howard, R.
Hunt, H.
James, W.
Johnson, J.
King, E. B.
Knight, H. G.
Knox, Hon. J.
Lambert, H.
Leader, N. P.
Lowther, Colonel
Mackillop, J.
Mayhew, W.
Miles, W.
Mullins, F. W.
Musgrave, Sir R.
North, F.
O'Connor, M.
O'Ferrall, R. M.
Payne, Sir P.
Rickford, W.
Rider, T.
Robinson, G. R.
Ruthven, E.
Ryder, Hon. G. D.
Scott, Sir E.
Sheil, R. L.
Sinclair, G.
Smith, J.
Strickland, G.
Thicknesse, R.
Thompson, Alderman
Tomes, J.
Tyrell, C.
Venables, Alderman
Walker, C. A.
Warre, J. A.
Wason, R.
Webb, Colonel

TELLERS.

Sadler, M. T.
Grattan, J.

FLOGGING IN THE ARMY.] Mr. *Hume* presented Petitions from the Political Union of Shoreditch, and from Samuel Smith, praying for an inquiry into the case of Somerville, a private soldier of the 2nd Dragoon Guards, who had been flogged for writing a letter to a newspaper. Petitions read, and ordered to be printed.

Mr. *Hunt* then proceeded to bring forward a Motion for the suspension of the punishment of flogging in the army during one year. For many years he had been convinced, not only of the inhumanity, but the inefficiency, of the practice he was desirous to see abolished. He regretted that the subject had not fallen into abler hands; but, however unequal he might be to the task he had undertaken, he should yield in zeal and anxiety to none. He should place before the House facts which could not be contradicted, and he was the more encouraged to do this, because his Majesty's Ministers, when in Opposition, were friendly to the mitigation, if not to the abolition, of flogging as a military punishment. For years he had heard with disgust and abhorrence of the treatment which private soldiers experienced in the British army. He remembered full well, that in the 15th Light Dragoons, then commanded by his royal highness the Duke of Cumberland, two private soldiers had, to avoid the punishment of flogging, put themselves to death, the one by drowning, and the other by cutting his throat. To exemplify the evil consequences which resulted from this species of punishment, he would beg leave to refer to a higher authority than his own; to a letter which had been addressed to Sir F. Burdett, by a soldier who had served upwards of forty years in the British army, who, though he had subsequently risen to the rank of Lieutenant, had originally been a Drummer, and who stated, that he had himself inflicted this torture three times a week upon his comrades, during the eight years which he remained a Drummer. That letter had been written to Sir F. Burdett (whom he was sorry not to see in his place that evening, for the hon. Baronet must have been an able advocate of his Motion) by a Mr. Shipp, who had risen from the ranks to a lieutenancy in the service. It was entitled, "A Voice from the Ranks, by John Shipp, late a Lieutenant in the 67th Foot." He (Mr. Hunt) was prepared to bring Lieutenant Shipp forward to substantiate the facts in that letter, either at the bar of the House, or before any Committee that might be appointed. There were many Officers, members of that House, who could speak to the gallantry of Mr. Shipp, but unfortunately they were not present, as they deemed Ascot Heath races better amusement than listening to a speech from him (Mr. Hunt), on such a subject as Military Flogging. Sir John Malcolm, and several military Officers who had served under his command, had, he believed, read every word in the very instructive yet entertaining volume which he then held in his hand. Mr. Shipp expressed himself in the following manner :—'It is some consolation 'to me to be able to say, that my present 'views are not induced by the remembrance of personal castigation; but from 'the practical observation of its effect on 'others, I can most solemnly affirm that, 'in my opinion, flogging is, and always 'will be, the best, the quickest, and most 'certain method that can be devised, to 'eradicate from the bosom of a British 'soldier his most loyal and laudable feelings. During the whole of my career, 'which included a period of upwards of 'thirty years, and the length and nature 'of which afforded me opportunities for 'extensive inquiry and accurate information, I never knew but one solitary instance in which a man recovered self-'respect and general reputation, after 'having been tortured and degraded by 'the punishment of flogging.' This isolated case was as follows :—'When I was 'regimental Serjeant-Major in the Light 'Dragoons, the regiment was one evening 'paraded, for the purpose of seeing punishment inflicted. The delinquent was 'a private soldier, who had, on previous 'occasions received, altogether, some thousands of lashes. Since his first flogging 'his name had been constantly in the 'guard reports, and he had scarcely ever 'done a day's duty. His offence, on this 'occasion, was being drunk on guard, and 'his sentence was 300 lashes. The court-'martial was read, and even before it was 'finished he began to undress with apparent and sullen apathy. He knew the 'heinousness of his crime, and he was 'well aware of its certain consequences. 'When he was tied, his naked back presented so appalling and frightful a spectacle, that his kind-hearted commanding 'officer, on viewing it, turned his head 'instinctively from the sight and stood 'absorbed in thought, with his eyes in 'another direction, as though reluctant to 'look on it again. Thus stood the commanding officer, until the Adjutant informed him that all was ready. These 'words roused the Colonel from his motionless position, and he started when the 'Adjutant addressed him. I can well 'imagine the struggle between duty and 'mercy by which his benevolent heart 'was assailed; but the latter was always 'his motto, and, thus kindly predisposed, 'he walked slowly up to the prisoner, and 'viewed more closely his lacerated back, 'on which were visible large lumps of 'thick and callous flesh, and weals which 'were distressing to behold. The Colonel 'viewed his back for some seconds, unknown to the delinquent, and, when he 'at length turned round (more from surprise that the flogging did not commence 'than from any other motive), his commanding officer addressed him in the 'following words :—"C——, you are now 'tied up to receive the just reward of your 'total disregard and defiance of all order 'and discipline. Your back presents an 'awful spectacle to your surrounding comrades, and, for my own part, I would 'willingly withdraw it from their sight, 'but I fear that your heart is as hard as 'your back, and that I have no alternative 'but to see that justice administered which 'the service requires. What possible 'benefit can you expect to derive from 'this continual disobedience of orders, 'and disregard of the regulations of the 'service?" Thus addressed, in a mingled 'tone of benignity and firmness, the poor 'fellow seemed touched, and he wept 'bitterly. For a time he could say nothing; 'but at last he exclaimed, "I wish to 'God I was dead and out of your way; 'I am an unfortunate fellow, and I hope 'this flogging may be my last, and put 'me beyond the reach of that cursed and 'vile liquor which has been my ruin." 'The Colonel and the whole regiment 'were now much affected, and many of 'the soldiers turned away their heads to 'hide their emotions. Seeing this, the 'Colonel called the attention of the offender to the commiseration of his comrades. The unhappy man looked round 'as he was directed, and seemed much 'distressed. The Colonel then said, "I 'cannot bear to see your brother soldiers 'so much affected for you without remov-

'ing the cause. Your sentence, therefore, 'for their sakes, I will remit, and, instead 'of the chastisement which has been 'awarded you, and which you so well 'deserve, if you will pledge yourself to 'me, in the presence of your commiserating 'comrades, that you will behave well in 'future, I will not only pardon you, but 'promise, when your conduct shall merit 'it, to promote you to the rank of Cor-'poral." The astonished culprit called 'on his comrades to bear witness to his 'words, while, in a most solemn manner, 'he protested his firm resolution to amend. 'A short time after, this man was pro-'moted, and proved one of the best non-'commissioned officers in the service. The 'unlooked-for mercy which had been ex-'tended towards him, and the totally 'unexpected turn which the affair had 'taken, raised the feelings of his heart 'far above the level to which disgrace had 'plunged them, and every exertion was 'made by him to merit the kind consider-'ation with which he had been distin-'guished. This man would often speak 'to me on this happy event in his life with 'feelings of ineffable pleasure.' Mr. Shipp mentioned another case which had taken place under his own eyes. It was the case of a man who had been sentenced, for some military offence, to receive 300 lashes. The man received them without a groan; but, as he marched out of the square, said, on passing his commanding officer, "The devil a day's work will you ever get out of Paddy again." He would quote some other equally instructive instances. 'Another man,' continued the hon. Member, reading from Mr. Shipp's pamphlet, 'an old offender, who had been 'frequently punished before, was ordered 'to strip to receive another flagellation. 'This fellow, however, would not at first 'take off his clothes, and, consequently, 'coercive measures were resorted to; but 'such was the man's power, that he defied 'the united efforts of numbers, until he 'at last exclaimed, "Now, if you will 'only be shivil, I will do it myself without 'any help." He then stripped, and re-'ceived his quantum of punishment with-'out moving a muscle, and, when taken 'down, he said to the Colonel, "Colonel, 'honey! if you will give me six drams of 'liquor, I will take 600 lashes more." To 'such a pitch of degradation was this poor 'creature reduced, that he would expose 'his lacerated back to his comrades, and 'prided himself exceedingly on the num-'ber of lashes he had received.

'On my return home one evening, after 'having attended the funeral of a soldier 'belonging to my own company, I got 'into conversation with the Serjeant, re-'lative to the deceased. The Serjeant, 'who was quite an illiterate man, said, '"the people in the hospital say he died of 'an in*for*mation in his side, but he *knowed* 'the real cause of his death. That 'ere 'man never did no good since the time he 'was flogged for being drunk 'fore guard. 'He knowed the man well; he was a fine 'high-spirited youth. Bless you, Sir, 'before his punishment there was not a 'smarter or finer looking soldier in the 'King's army; but, after he was flogged, 'he never did no more good, but became 'a dirty, slovenly fellow, and was never 'sober if he had the means of getting 'liquor. I have heard him declare that 'his heart was broken, and that, if liquor 'did not soon close his miserable life, he 'would take some more speedy means." 'This last desperate alternative was never 'necessary, for he died of drunkenness 'ere he had attained the age of twenty-'six, adding to the long catalogue of those 'whose buoyant spirits could not brook 'the degradation of the cat.

'When I was orderly officer of the 'main-guard at Cawnpore, several men 'were condemned to be punished. Among 'the rest was a youth not more than 'twenty years of age. The morning on 'which the punishment was to be inflicted 'I visited the prisoners early, and such 'was the change observable in this poor 'young fellow, from reflecting during the 'night on his approaching degradation, 'that he looked like one whose consti-'tution had, in a few hours, undergone all 'the diseases incident to the country. His 'eyes were glassy and inexpressive, his 'cheeks sunk, and his deportment stoop-'ing and loose. Altogether he looked the 'very picture of woe, and his extreme de-'jection was so obvious, that I could not 'refrain from asking him if he was unwell. '"No," replied he, "but I am one of those 'who are to be flogged this morning," and 'he wept bitterly. "Come, come," said 'I (and it was as much as I dared to say), 'keep up your spirits; your extreme youth, 'and the fact that this is the first time you 'have been brought to a court-martial, 'may, probably, obtain your pardon." 'He shook his head, but said nothing in 'reply. I regret to be obliged to add, that 'this poor fellow received 150 lashes; 'and, from the day he was flogged until 'the period of his death, I can venture to 'assert that he was never two hours sober. 'He sold all his own things to purchase 'liquor, and then stole those of others; 'and at last he died in the hospital from 'drunkenness.

'The following is a melancholy instance 'of the same character as the foregoing, 'in which it is my painful duty to attest 'the utter ruin of another promising young 'soldier, by the odious system, the existence of which I deplore. Two men were 'brought to court-martial. The one was 'an old and hardened offender, whose 'offence was being drunk on guard, and 'who was sentenced to receive 300 lashes; 'the other, a youth, who, for his first offence, absenting himself from evening 'parade, was condemned to 100 lashes. 'The former was admonished by his commanding officer, his corporal punishment 'remitted, and his sentence commuted to 'fourteen days' solitary confinement. This 'proposal, however, the hardened delinquent rejected with indignation, professing that he would rather take 1,400 'lashes than suffer fourteen days' solitary 'confinement in the black-hole. He accordingly received his punishment, without moving a muscle, and afterwards, on 'leaving the square, strutted off, muttering 'something like "D—d hoax," or "fudge." 'The conduct of this depraved fellow 'nettled the commanding officer, and he 'ordered the youth to strip and receive 'his punishment. The poor fellow threw 'himself on his knees and implored forgiveness in the most earnest and pathetic 'manner, or that, in preference to the 'degradation of flogging, his punishment 'might be commuted to solitary confinement, if even for six months. But, no; 'the officer was irritated,—he hoped the Secretary at War would listen to this: —'the officer was irritated, and the unhappy youth received every lash, after 'which he left the square sobbing most 'piteously. During the infliction of the 'punishment, many a tear did I see that 'morning stealing down the cheeks of the 'commiserating comrades of this ill-fated 'youth, for they well knew that his 'prospects as a soldier were irretrievably 'blighted. From this time forth, day after 'day, and week after week, might this sad 'victim of "discipline" be seen prowling 'about (when not in the guard-room for 'subsequent misconduct, which, after this 'event, was constantly the case), with a 'dejected and care-worn countenance, 'pensive and gloomy, as though he had 'lost some dear relative, or rather, perhaps, as though he had committed an act 'on account of which he dared not look 'an honest man in the face. The disgrace 'he had endured had sunk deep into his 'heart; a leprosy pervaded his mind; 'and, in despair, he sought consolation 'from drink, which soon brought to a termination both his troubles and his life.

'One wintry morning, when the bleak 'wind whistled along the ranks of a regiment paraded to see corporal punishment 'inflicted, every eye was turned in pity 'towards the delinquent, until the commanding officer, with Stentorian lungs, 'pronounced the awful word "Strip, sir." 'The morning was bitterly cold; the 'black clouds rolled along in quick succession; and the weather altogether 'was such, that the mere exposure of a 'man's naked body was of itself a severe 'punishment. The crime of this man 'was repeated drunkenness, of which he 'had, undoubtedly, been guilty; but 'what was the cause of this constant inebriety? Let us trace the evil to its 'source. It was the sad recollection of 'his former disgrace by flogging, to which 'the course of intoxication that he now 'pursued might justly have been attributed. When the offender was tied, or 'rather hung up by the hands, his back, 'from intense cold and the effects of 'previous floggings, exhibited a complete 'blue and black appearance. On the 'first lash the blood spirted out some 'yards, and, after he had received fifty, 'his back, from the neck to the waist, 'was one continued stream of blood. 'The sufferer flinched not a jot, neither 'did he utter a single murmur, but bore 'the whole of his punishment with a 'degree of indifference bordering upon 'insensibility, chewing, all the while, 'what I was afterwards informed was a 'piece of lead or a bullet. When the 'poor fellow was taken down, he staggered and fell to the ground. His legs 'and arms, owing to the intense cold, 'and the long period they had remained 'in one position, still continued distended, 'and he was obliged to be conveyed to 'the hospital in a dooly, a kind of palanquin in which sick soldiers are carried, 'This unfortunate creature shortly afterwards shot himself in his barrack-room, 'in a sad state of intoxication, and was 'borne to his solitary pit, and hurled in 'like a dog. No inquiries were made 'as to the causes to which this rash act 'might have been assigned. If any such 'investigation had been deemed requisite, 'ample attestations might have been produced, from which it would have appeared that this poor wretch had scarcely 'ever looked up from the date of his first 'flogging; that his prospects as a soldier 'had been utterly destroyed; and that 'his degradation had been so acutely felt 'by him, as to paralyze his best efforts 'towards amendment, and at length to 'sink him into a state of worthlessness 'and despair.

'I come now to a case which I have 'good cause to remember with feelings 'of intense pain, as the poor sufferer had 'exhibited much kindness to me on numerous occasions. When I was at the 'Cape, in 1798 or 1799 (I forget which), 'a Serjeant in the regiment in which 'I served was sentenced to be reduced 'to the ranks, and to receive 100 'lashes. The man was, I think, one of 'the finest soldiers I ever saw; in his 'manners firm, but respectful and unassuming; in his principles, strict and 'honest; and in his person, handsome 'and commanding. He had been Pay-'Serjeant for many years in the regiment, and a kind friend to me. In pursuance of his sentence, the stripes which 'distinguished him as Serjeant were torn 'from his brave arm, and trampled in 'the dust; and, when he was ordered to 'strip, the most intense silence prevailed 'throughout the ranks, and every heart 'beat high with the fear that forgiveness 'was now hopeless. The result was looked for with breathless anxiety, and probably it was expected that the offender 'would have pleaded something in extenuation of his fault; but, to an ardent 'love which this man entertained for his 'profession, was added a manly pride, 'which probably restrained him from 'begging publicly for pardon. Certain 'it is, however, that he did not utter a 'word. The command "Go on" was 'given, and a half-suppressed groan of 'horror was audible throughout the 'square. The savage infliction commenced; but scarcely had he received 'five lashes, when his affectionate wife 'rushed through the square, and threw 'herself between him and the Drummer. 'The half-frantic woman was dragged 'forcibly from the spot, and her husband 'received every lash to which he had 'been condemned! From this moment 'he never looked up, but soon sunk into 'the grave, leaving a wife and child.

'In the experimental corps in which I 'commenced my military career, I recollect two boys being sentenced to be 'flogged for desertion: they were brothers, and the elder was not more than 'thirteen years of age. They had deserted altogether, and probably intended to 'have gone home again, not much relishing their new mode of life. The elder 'boy was tied up first, and having received 'about six dozen lashes he was ordered 'down, and it became the turn of his 'younger brother to occupy his place. 'Afflicted by the idea of what his poor 'little brother was about to suffer, the 'senior boy begged, in the most earnest 'manner, that he might be permitted to 'take his brother's punishment, protesting, 'most solemnly, that he was the sole 'cause of his desertion. When this was 'refused, and the younger one was ordered to strip, the shrieks of the two 'rent the air. They flew into each 'other's arms, clung together, and, when 'they were torn asunder, the tear of pity 'started to the eyes of all around. The 'little fellow received every lash to which 'he had been sentenced; and in little 'more than a year after, there were not 'two greater reprobates or vagabonds in 'the whole corps. The elder boy soon 'died. Of the fate of the younger I 'cannot speak with certainty; but I 'think he was found drowned in Table 'Bay, at the Cape of Good Hope.' He hoped the House would bear with him, though he was trespassing so much upon its attention and patience; but this was a subject which he had considered it his duty, ever since he had been in the House, to bring forward. He had, on two former occasions, very slightly touched upon it; but he had been met by resistance on the part of his Majesty's Government. He now seriously pledged himself to prove, either at the bar of the House, or in Committee, the whole of the facts he had been stating, if the House would listen to the proposition which he should presently submit to it. In reading these statements, he hoped hon. Members would do him the justice to believe, that he did so out of respect to the House; he had never had the courage nor the hardihood to witness a single military flogging; therefore, he was doing the House more justice by reading these facts, than by making his own statement, which, for the reason he had alleged, must be, to a certain extent, imaginary; when it was considered too, that at this very moment there was a soldier in the Scotch Greys, of the name of Somerville, who had been lately sentenced to receive 200 lashes for an offence he had never committed—for no offence at all—that he had actually received 100 lashes, and was now lying in the guard-house to receive another 100.—[Mr. *Robert Grant*: No! no! that is against the law.] He certainly did not wish to state anything which he could not prove, and he was not able to prove this fact; but he was stating it from the authority of a petition which was then lying on the Table. He would proceed, therefore, to read that which he was prepared to prove. The hon. Member again quoted from Mr. Shipp's Book:—

'One morning I attended parade, when 'a wretched looking half-dead young lad 'was tied up for flogging; but the doctor 'reported him unfit to receive his punishment, as the wounds on his back, received in a former flagellation, were not 'healed. He was taken down and sent 'to the hospital, and in one week after, I 'followed him to his grave! Whether 'the poor fellow's death was to be attributed to the punishment he had suffered, 'or to the effect of that punishment on 'his mind, and consequently on his frame, 'I cannot take upon myself to pronounce; 'but I fear it must be assigned to one or 'other of these causes.

'I one day attended the hospital as 'orderly officer, and when I asked, as was 'my duty, if there were any complaints, a 'man with a dejected and maniac visage, 'bellowed out, "Yes, I have a complaint 'to make, that neither you nor the King 'of England can remedy." I asked him, 'in the kindest manner, what it was? He 'laughed most terrifically, and said, '"Don't you know that I have been flogged 'for being drunk on parade—one hour's 'neglect of duty." I replied that I was 'sorry for it, when he rejoined, "So am I 'most heartily, and the service will lose an 'old and faithful soldier by it." A short 'time after this, the poor fellow was found 'drowned; but whether this proceeded 'from intention, or from a fit of inebriety, 'no trace was left us to judge, and, as 'there are no coroner's inquests in the 'upper provinces of India, the event was 'buried with the man; but I should imagine, from his frantic manner to me, and 'the sort of threat which accompanied 'it, that it was desperation that had 'wrought this dreadful catastrophe.

'The instances which I have now laid 'before you, Sir, in proof of the evil effects 'of flogging soldiers, will perhaps find 'their way to the heart sooner than all the 'arguments that can be urged against this 'barbarous mode of punishment. That 'the castigation is cruel and agonizing, 'those who have ever witnessed its infliction cannot doubt; yet it is not, as I 'think—

Mr. *Robinson* rose to order. The House had listened with a great deal of forbearance to the hon. Gentleman, while he had been reading statements of facts; and there had been no indisposition on the part of the House to pay every attention to those statements; but when the hon. Gentleman proceeded to read, not facts but arguments, he was exceeding the usual limits allowed to Members in quoting from published works.

The *Speaker* said, it was difficult to say, precisely, what should be the limits to which any Gentleman might proceed in reading extracts from a printed document, as a portion of his speech. He must, however, observe, that since he had had the honour of sitting in the Chair, he never had heard so long a time occupied in reading as the hon. Gentleman had already consumed. Still, the matter must depend upon the feelings of the House, and the discretion of the hon. Member, though he would undoubtedly govern himself according to what he perceived to be the sense of the House on the subject.

Mr. *Hunt* was aware of the great kindness with which the Speaker had mentioned the rule of the House, and he should be very sorry to inflict any punishment on the House, or to overstep the bounds of a just discretion; but this was a point of so much importance, that he must go on. He would, however, as much as possible, refrain from reading the aguments, and read only the facts contained in Mr. Shipp's pamphlet. He admitted it was an unusual course to read long extracts, but he recollected on one occasion, when he was a mere listener in the gallery, that he heard the late Sir John Cox Hippisley read a pamplet of his own, for two hours and a-half, on the subject of Catholic Emancipation, and if he had not met with such a precedent as that, he should not have taken up so much time on the present occasion. But he would venture to read a few more facts. The statement he was about to read was worthy of the attention not only of the Secretary-at-War, but of all his colleagues in the Administration; for it was the only part of the pamphlet which he should have doubted, as it spoke of a practice which was as clearly illegal, as it was in a moral sense, tyrannical. 'I am now, Sir, about to notice another 'abuse to which the flogging system has 'given birth, and which in my opinion, de'serves severe reprobation. It is, I be'lieve, but of late years that the practice 'to which I allude has crept into the 'service; but I am informed that it has 'actually become, in some regiments, an 'established rule. It consists in giving 'a soldier who has fallen under the dis'pleasure of his commanding-officer, the 'choice, either to receive a certain number 'of lashes—say fifty 100, or 150, as the 'case may be, or to abide the decision of a 'court-martial.' Mr. Shipp stated that he had himself been ordered to make such a proposition to a soldier. He should hope there was no such thing practised now. He trusted the right hon. Gentleman opposite was prepared to show that there was not; because it must be, contrary to law. But to proceed: 'When at Jersey, in the year 1808, 'it was my painful duty to witness the in'fliction of corporal punishment almost 'every week. This was not in my own 'regiment, for the Colonel of our corps, 'Lieutenant-colonel John Covell, was one 'who never resorted to flogging, except as 'a last resource, and then with great re'luctance, and with feelings of sorrow 'that he had no alternative. At the pe'riod of which I speak, we were at war 'with France, but, in one of the battalions 'of the 60th regiment, then at Jersey, 'we had many French soldiers. Many of 'these men deserted, and most of them 'were taken in the attempt. When we 'consider that they were natives of France, 'it is no great wonder, that when a war 'broke out, they should attempt to quit 'the English service, in preference to 'fighting against their own country; and, 'in my humble opinion, it would have 'been neither unwise nor impolitic to have 'discharged them all; for men who would 'be base enough to fight against their 'own country, could scarcely be con'sidered fit to be trusted by any other 'power. But, be this as it may, many of 'these men were taken, and sentenced 'to receive 1,000 lashes each for their 'desertion. This punishment was rigidly 'inflicted, with the additional torture 'which must have resulted from the 'number of five being slowly counted be'tween each lash; so that, upon a fair 'calculation, each delinquent received 'one lash every twelve seconds, and conse'quently, the space of three hours and 'twenty minutes was occupied in inflict'ing the total punishment; as though '1,000 lashes were not of themselves 'a sufficiently awful sentence, without so 'cruel and unnecessary a prolongation 'of misery. Many of these poor crea'tures fainted several times from intensity 'of bodily suffering; but, having been 'restored to their senses by medicinal 'applications, the moment they could 'move their heads the castigation recom'menced in all its rigour. Numbers of 'them were taken down and carried from 'the square in a state of utter insensibility. 'The spectacle, altogether, instead of 'operating as an example to others, 'created disgust and abhorrence in the 'breast of every soldier present who was 'worthy of the name of man.

'The following is a picture of the re'volting ceremony of flogging, for which, 'I apprehend, few persons will be pre'pared. From the very first day I entered 'the service as drum-boy, and for eight 'years after, I can venture to assert that, 'at the lowest calculation, it was my 'disgusting duty to flog men at least three 'times a week. From this painful task 'there was no possibility of shrinking, 'without the certainty of a rattan over 'my own shoulders by the drum-major, or 'of my being sent to the black-hole. 'When the infliction was ordered to com'mence, each drum-boy, in rotation, is 'obliged to strip for the purpose of ad'ministering five-and-twenty lashes (slowly 'counted by the Drum-major), with free'dom and vigour. In this practice of 'stripping there always appeared to me 'something so unnatural, inhuman, and 'butcher-like, that I have often felt most 'acutely my own degradation in being 'compelled to conform to it. After a 'poor fellow had received about 100 'lashes, the blood would flow down his 'back in streams, and fly about in all 'directions with every additional blow of 'the instrument of torture; so that, by 'the time he had received 300, I have 'found my clothes all over blood, from 'the knees to the crown of my head, 'and have looked as though I had just 'emerged from a slaughter-house. Horrified at my disgusting appearance, immediately after parade I have run into the 'barrack-room to escape from the observation of the soldiers, and to rid my 'clothes and person of my comrade's blood. 'Here I have picked and washed off my 'clothes pieces of skin and flesh that had 'been cut from the poor sufferer's back. 'What the flogging in Newgate or Bridewell may be, I do not know, but this is 'military flogging.

'I am ignorant what kind of cats 'were used when this pernicious system 'was first introduced into the army, 'but they are now, I believe, very 'different in different regiments, and, 'indeed, there is sometimes a variety 'kept in the same corps. Those which I 'have seen and used were made of a thick 'and strong kind of whipcord; and in 'each lash, nine in number, and generally 'about two feet long, were tied three large 'knots, so that a poor wretch who was 'doomed to receive 1,000 lashes, had '27,000 knots cutting into his back; and 'men have declared to me, that the sensation experienced at each lash, was as 'though the talons of a hawk were tearing 'the flesh off their bones.

'Have the advocates for the continuance 'of this barbarous system ever handled 'one of these savage instruments? Have 'they ever poised the cat in their hands 'when clotted with a soldier's blood after 'punishment had been inflicted? If not, 'let me inform them, that it has then 'almost weight enough to stun an ox, and 'requires the greatest exertion and dexterity in the Drummer to wield it. I 'have heard poor fellows declare that, 'in this state, it falls like a mass of lead 'upon their backs.

'If those whose duty it is to form the 'code of military laws will allow soldiers 'to possess the common feelings and sensibilities of other men, it must be obvious 'that degrading a man, by flogging 'him like some vile miscreant, must be 'attended with great and irreparable injury 'to the service. Since I entered the army, 'the practice of flogging has considerably 'abated, thanks to the noble advocates 'for its total abolition: but, even still, the 'terrific cries for mercy are heard from 'the ranks of almost every regiment in 'the service, especially those which are 'abroad. If a man deserve such ignominy and debasement, he is unfit for a 'soldier, and ought to be discharged the 'service. Often have I been agonized to 'see the skin torn off the poor sufferer's 'wrists and legs, by lugging him up to the 'triangles as you would the vilest miscreant of the land, and afterwards an 'inexperienced drum-boy flogging him 'over the face and eyes. I have heard 'men beg for a drop of water to cool their 'parched mouths and burning tongues, 'which has been denied them.'

There were many in that House who would recollect the story of Lazarus and the rich man; and what the individual there offered for a drop of water to cool his palate; and when those Gentlemen had pictured to their imaginations the sufferings which the soldier must endure, who was tied up, and receiving 1,000 lashes, they would be able to conceive what was the distress of Dives; they might then judge of the horrible system pursued in our army for preserving military discipline, when they reflected, that like the man we read of in Scripture, these victims begged for a drop of water, and it was denied them. This was the treatment of the poor, and wretched, and tortured private soldier. After the admonitions which he had received, he should refrain from reading the arguments and reasonings of this gentleman, which would have, however, much more effect than anything which he (Mr. Hunt) could offer. Mr. Shipp said, that from the time he was a Drummer, to the period at which he became Drum-major, he must have flogged, or have assisted in flogging, during those eight years, no less than 1,248 soldiers. He declared, that if he were to see a regiment just returned from abroad, he would venture to pick out every man as he stept on shore, who had suffered the disgrace and torture of military flogging. Such a man offered an appearance so altered, so dejected, and so degraded, as compared with that of the man who never had been flogged, that he appeared entirely different from his comrades. The inference which Mr. Shipp drew from all the facts which had fallen under his notice, and in which he concurred, was this:—that no good was ever done by flogging; or, at most, only this, that, when in action, those who had suffered under the lash became the most desperate, and the most barbarous, perhaps, of any men in the field; and were driven to do the rashest and maddest acts, willingly exposing their lives, and rushing upon destruction, in order to rid themselves of an existence which the ignominy of the torture had rendered intolerable. He perfectly agreed with Mr. Shipp, that it was impossible for a man who had suffered the brutal torture of flogging ever to make a good soldier. When a person had once received the lash, he never held up his head again. He, therefore, protested against the inutility as well as the inhumanity of this practice. He was anxious, for the sake of humanity, and for the character of the army, to get rid of it. He was aware that the punishment of flogging was inflicted now much less than it was formerly. At the period when the present Speaker became Judge Advocate, the practice of flogging was very frequent; and when he left that situation, the infliction of this species of punishment was much diminished. It then became the fashion with officers, who thought such a circumstance must be a feather in their caps, to report to the War-office that very little flogging had taken place in the regiments under their command during the year. He hoped this salutary fashion was still continued; but, when floggings such as had recently been inflicted at Birmingham, and as occurred frequently in the Bird-cage-walk were still heard of, he was afraid it was not. He appealed to the Secretary-at-War, who, out of office devoted his talents, his eloquence, and his zeal, to promote the object he had in view to support his Motion. He was aware that flogging was the law of the land; he knew that the Mutiny Act had passed, and that it must remain in force unless there was a fresh Act of Parliament. He, therefore, meant to submit to the House a proposition calculated to benefit the army, and throw a lustre on his Majesty's present Government, and he could not conceive any possible objection to its adoption. Without wishing to claim any merit to himself beyond that of having performed his duty, very imperfectly he was aware, but according to the best of his ability—and, willing as he was to give all the merit of the act to his Majesty's Ministers, to whom his gratitude would be due if they acceded to the proposition of so humble an individual as himself—and begging to express his thanks for the patient attention with which the House had indulged him for the past hour, he would proceed to read the terms of his Motion, to which he hoped his Majesty's Ministers would agree, in order that he might be saved the trouble of bringing before this House, from time to time, every case that occurred throughout the country; which step, however, if his proposition were rejected, he should certainly feel it his duty to take. There was one strong reason why this question should come before the House—namely, because there prevailed a practice of flogging in private. It was not necessary, that after the court-martial, the public should know in what manner its sentence was carried into effect; and the knowledge of the punishment being inflicted transpired only through the communication of some private soldier, which, in itself, was a disobedience of orders. This secret mode of punishment was a further ground of his appeal to his Majesty's Ministers to adopt the proposition with which he should conclude. He begged to move—"That an humble Address be presented to his Majesty praying that he will be graciously pleased to take such measures as may cause the punishment of Flogging in the Army to be suspended till after the meeting of next Session of Parliament."

Mr. *Hume* seconded the Motion, in order to show that his opinion on this subject had not altered since he seconded a similar motion on a former occasion; on the contrary, every day's experience afforded additional reasons why the proposition of the hon. member for Preston should be acceded to. The extracts which the hon. Member had read were from a letter addressed by Lieutenant Shipp to the hon. Baronet, the member for Westminster. He had seen Lieutenant Shipp, and the details which he had stated, were well worthy the attention of his Majesty's Ministers. They were not written from mere hearsay, but were the result of a long and checquered experience of a man of much talent and undoubted bravery. Lieutenant Shipp was not unknown; he led no less than five forlorn hopes in India, and had on all occasions, proved himself to be one of the most gallant soldiers in the East-India army. He was now in the receipt of a pension from the East-India Company, and Mr. Shipp's statement was he believed perfectly correct. No man could rise up from the perusal of its melancholy details without feeling that many brave soldiers had been destroyed by this flogging system. Mr. Shipp had admitted since, that when he left the army eight or nine years ago, the practice had improved. In some regiments the punishment was as severe as ever; whilst, in others, it had almost entirely disappeared. It appeared from this statement, and from the admission of many gallant officers, that after a man had once been subjected to such punishment, he never was worth anything. He considered himself degraded, and despair drove him to courses by which he invariably incurred a series of punishments, only put a stop to by death. He, therefore, thought, that the experiment ought to be made which was now proposed. On a former occasion, when a similar proposition was made, an objection was taken, that it was necessary to distinguish between the army abroad and the army at home; and he was, therefore, induced to propose a motion confining the experiment to England. The hon. member for Preston made no such distinction, because he had been upbraided with invidiously distinguishing between different portions of the army; and he had, therefore, included both in his present Motion. The experiment, however, might be made by an order being issued to the commanding officer, that an end be put to the punishment of flogging; because, however much the practice might now be mitigated, yet it could not be denied, that, so long as men had power, they were inclined to exercise, and too often abuse it. With regard to the petition of Mr. Somerville, which he had laid upon the Table that evening, he considered it would be unfair towards Major Wyndham, were he to enter into a discussion of the allegations it contained, unless indeed, his right hon. friend, the Secretary at War, had had an opportunity of communicating with Major Wyndham. If his right hon. friend had not, he should postpone the discussion till a future day. Somerville, it appeared, was sentenced to receive 200 lashes for an alleged disobedience of orders—that disobedience being a refusal to mount an unruly horse. He had tried to manage it but was unable; and being an inexperienced horseman, on being ordered to mount again, he declared, either, that he could, or would not; and for this he was sentenced to receive 200 lashes; 100 of which he had received; and, as the petitioner expected, was to receive the other 100. He (Mr. Hume) was aware that was a mistake, and he had stated as much to the person who brought him the petition. But what was the offence, if indeed it was an offence, of which Somerville had been guilty? Was it one which ought to be made the subject of a court-martial? To make it such was an additional proof, if any were wanting, that men, possessing power, were ever too prone to exercise it. It was, then, desirable that this power should be taken away: and if, in some portions of the army, the flogging system could be safely dispensed with, why might it not be, with equal safety, suspended throughout the whole of the army? He was not desirous of pressing his right hon. friend opposite on the subject, because he knew, that his right hon. friend might have obtained information, since he had been in office, to make him alter his former opinion; but he would submit, that it would be a great public benefit to make the trial; on that account he should second the Motion.

Sir *John Hobhouse* had no reason to complain of the tone or manner in which the hon. member for Preston had brought forward this Motion; at the same time, he must state, that the details which the hon. Member had read were made up of facts connected with the previous, and not of such facts as could be connected with the present practice of the army; for as the hon. Member had truly stated a very great change had been made of late years in the army with regard to corporal punishment. There was a general feeling prevailing, not only in the country, but also in the service itself, that it would evidently be to the advantage of that service to get rid of the punishment of flogging, if possible, altogether. This pamphlet he had had the advantage of reading. It was addressed to his hon. colleague, who had taken so distinguished a part in that House in the effort to abolish, or at all events to mitigate, this species of punishment. He thought, when he first read this address, that certainly there were some things in it which did not quite apply to the present state of the case. If the public were to form a correct judgment upon this very important point, it surely should have relation to what was now going on, and not to what was formerly the practice. As to what had been said by the hon. Gentleman, of the option given to the soldier, either of receiving a limited punishment without a court-martial, or of standing the chance of a greater punishment being inflicted upon him by a court-martial, he could assure the hon. Member such a practice did not now prevail. Indeed, he did not believe that it ever had prevailed. Neither was it correct to say, that soldiers were secretly punished; the courts-martial at which they were tried were public proceedings, and the reports made of them might at any time be called for and produced in that House. As to the punishment taking place in secret, that was frequently the case with sentences pronounced by civil Courts, and had nothing to do with secresy of prosecution or of trial. The punishment might be secret as to the public, but it was not secret as to the regiment. With respect to the general question, however, it was not necessary that he should discuss it with the hon. Gentleman; because it was well known what his opinions were, and he had taken an opportunity of publicly declaring those opinions since he had taken office. And his hon. friend, the member for Middlesex, was mistaken if he supposed that he (Sir John Hobhouse) had changed his opinions in any degree. Allusion had been made to the case of a soldier at Birmingham; but it was quite an error to suppose that soldiers were ever punished by instalments. With respect to the form of the motion, he had some doubt as to that; the King might, if he pleased, do what was proposed in this motion, but it would be exceedingly irregular, and without precedent; and after the articles of war had once passed this House, and been signed by his Majesty he did not conceive that the right way of producing an alteration in them was an Address to the Crown. The hon. Gentleman was mistaken if he supposed that nothing had been done on the part of the War-office to lessen the amount of the punishment. With the consent of the Judge Advocate-General and of the Commander-in-chief, he had succeeded in having the new articles of war so drawn up, that the greatest number of lashes that could be inflicted by a regimental court-martial was reduced from 300 to 200, and by a garrison court-martial from 500 to 300. This showed, he hoped, the spirit by which he was actuated; and he, therefore, trusted, after the statement he had made, that the hon. Gentleman would not press his Motion.

Mr. *Robinson* was ready to support the motion of the hon. member for Preston. Flogging was a most brutalizing and degrading punishment, and unless a better case could be made out for the necessity of continuing it than had been stated by the right hon. Baronet, he (Mr. Robinson) should be ready to support any measure short of abolition. The present Motion was not to abolish, it was only to suspend flogging. It was very moderate in its tone and temper. Public reprobation had marked the system, and in a time of profound peace, it was high time that it should be inquired into, and, if possible, got rid of.

Colonel *Evans* supported the Motion. The severity of corporal punishments was one of the reasons which deterred persons from entering the army. In time of war, he, as a professional man, would not have recommended the suspension; but in time of peace he thought the experiment might be made.

Mr. *Kemmis* suggested, that the power of inflicting lashes might be taken from regimental courts-martial, and the power of punishment by hard labour or solitary confinement substituted. He could not support the Motion, which he thought ill-timed, and more likely to be injurious than beneficial. The punishments in foreign armies were more severe than in our army. In France a man was shot, or imprisoned for ten years, for disobedience; in Prussia he was locked up in a cell; while in England he was flogged, or imprisoned for six months.

Mr. *Robert Grant* doubted whether the Motion could be entertained, and whether the Crown had the option of varying the Articles of War. If any thing could be done, it must be by a motion for the purpose of suspending the operation of the Mutiny Act, because that Act gave the King a special power, as soon as may be, to make Articles of War, which were to be distributed throughout the empire, and to be recognized by all Judges, and to have the force of law. Therefore, it was a matter of serious doubt whether it was in the power of the King to vary these Articles from time to time. The pamphlet which had been so largely quoted, sufficiently established the fact, that something very different prevailed now in the army, with regard to corporal punishments, from that which was the practice formerly; and he was bold to say that, since the time that pamphlet referred to, there had grown up, on the part of the officers of the army, a disposition to mitigate the infliction of corporal punishments; which had, in a considerable degree, diminished both the application of that punishment and the necessity for awarding it. If he were to detail all the circumstances within his own knowledge, as to the means taken in order to dispense with corporal punishments, he could make a deep impression on the mind of the hon. Member, in favour of the feelings of justice, as well as those of humanity, by which the officers of the army were actuated. By issuing general orders, and the exercise of vigilant inspection over the proceedings of courts-martial, and by applying means of prevention rather than of punishment, a great progress had been made in effecting a diminution of the necessity for corporal punishment. He had paid a willing tribute to the temper in which this matter had been brought forward, because it was due to the hon. Member; but there could be no step more unpropitious for attaining the purpose sought, the practical advance in the mitigation of flogging, than to bring forward all those facts—of a most grievous description, certainly—which in former years occurred, without taking any notice of those changes of the system which had made a repetition of such facts impossible. There was scarcely one of the facts mentioned in the book which could, by possibility, take place under the present system. The hon. Member must excuse him for saying, that it was quite absurd to go over the cases which occurred many years ago, with a view to show the present practice. He would add, that the Commander-in-chief, and the high officers of the service, and the commanders of regiments, were all anxious to second the exertions of the Secretary-at-War. There were, however, difficulties in the way which might not in the first instance strike hon. Gentlemen. It must be recollected that the army was not a mere machine, and hastily to attempt great changes in it, was to run the risk of completely disorganizing it. In making important changes, it was necessary to proceed gradually, and not try experiments without the utmost caution and circumspection. The hon. and gallant Officer opposite said, that if it were not for the system of flogging at present pursued, the recruiting could be carried on with greater facility, and that you would induce a superior class of persons to enter the army. He could not speak from practical experience on this subject, but that was, in his opinion, by no means certain. The House and the country were jealous of a standing army, and the Government was called to the most severe account for the expense of the army; if, therefore, the pay was to remain as low as at present, the inducements to enter the service would not be greatly increased. He repeated, that it was necessary that the utmost caution should be used in making such a great change in the punishments of the army, and he thought, if they went hastily and unadvisedly to work, they would expose to great hazard the constitution of the army. It was safer and the hon. Member would be more certain of attaining the end he had in view, by withdrawing his Motion, and relying upon the stedfast exertions of his right hon. friend, the Secretary-at-War, and the Commander-in-chief, and the commandants of regiments, all of whom were anxious to diminish, and, if possible, ultimately to abolish, this species of punishment in our army.

Colonel *Davies* remarked, that the present system of discipline in the army was entirely different from that described in the pamphlet. The last instance mentioned there was in 1808. He was disposed to concur in the suggestion of the hon. Member (Mr. Kemmis), to take away from minor courts-martial the power of inflicting corporal punishments, which might be safely intrusted to garrison courts, and he hoped that in the next Mutiny Bill a provision would be introduced to that effect. He said it with great regret, but he was apprehensive that the discipline of the army could not be maintained if corporal punishment were wholly abolished.

Mr. *Calcraft* said, that during the short time he had been in the army, he had observed that corps in which corporal punishment prevailed were generally inferior, and that a flogged man was a lost man.

Sir *John Bourke* thought, that at a time when the dispositions of the Commander-in-chief, and of the officers generally commanding regiments, were hostile to the system of flogging as a general punishment, and when it was known that an officer commanding a regiment received credit at head-quarters in proportion to the extent in which flogging was diminished in that regiment, he hoped the House would feel that the present Motion ought not to be pressed.

Mr. *Hunt*, in reply, said, that he must insist on the expediency of presenting the Address, were it only to show the disposition of the House on the subject. Whatever might be said of the humane disposition of officers, it was evident that the system was different in different regiments. In some regiments the officers never used flogging, in others they did, and he would have them all compelled to do, as some of them did, without using it. He would have one law for all. He believed that his object could be easily accomplished by proper instructions issued by the War Office, and he felt, therefore, bound to press his Motion to a division.

The House divided:—Ayes 15; Noes 33—Majority 18.

List of the AYES.

Bulwer, Henry, L.
Calcraft, Capt. Granby
Curteis, Herbert
Evans, Col. de Lacy
Ewart, Wm.
Grattan, Henry
Paget, Thomas
Robinson, G. R.
Tennyson, Rt. Hon. C.
Thicknesse, R.
Vincent, Sir F.
Warburton, Henry
Wood, Alderman
Wood, John
Walker, C. A.

TELLERS.

Hume, Joseph
Hunt, Henry

* * *

HOUSE OF LORDS,

Wednesday, June 20, 1832.

MINUTES.] Bills. Read a third time:—Churches Building Acts Amendment; Consolidated Fund; Tithe Prescription.
Petitions presented. By the Earl of RADNOR, from Barnstaple and Pilton, to join the latter to the former for the purpose of Electing a Representative in Parliament.—By Earl GREY, from Alton, for a Revision of the Criminal Code.

MAGISTRATES OF NOTTINGHAMSHIRE.] Lord *Middleton* said, that though he had been a Member of their Lordships' House now thirty years, he had never attempted but once, and that very shortly, to address their Lordships. He therefore trusted that he should meet with the courteous attention of their Lordships, whilst he trespassed very shortly upon their notice, to perform an act of justice to the Magistracy of the County with which he was connected. Their conduct had been so traduced by the Press, that he was obliged to say, that scarcely one word which had been stated on the subject resembled the truth. The statements of the Press respecting the conduct of the Magistrates of Nottinghamshire, during the riots which recently disgraced the county, and during the continuance of the Special Commission sent into Nottinghamshire for the trial of the rioters, had been embodied into a petition, which had been presented by the hon. member for Preston, the other night, to the House of Commons. Connected as he was with the county, he felt it to be his duty to inform the noble Secretary for the Home Department, that the Magistrates of that part of the county were determined never to come forward again on any occasion of public emergency, unless they now received some sanction for their past proceedings from the noble Lord. He then held in his hand a Letter from the Magistrates, written to the noble Lord, in answer to the application which the noble Lord had made to them for some explanation of certain charges which had been preferred against them. He likewise held in his hand a Letter, voluntarily written by Mr. Payne, the able, and intelligent, and zealous Attorney for the prisoners, exculpating not only the Magistrates, but also the Gaoler and the Turnkeys, from the various charges brought against them in this petition. He was unwilling to trouble their Lordships with it, but if they would allow him to read it they would see the true nature of the case [*read, read*]. The noble Lord accordingly read Mr. Payne's Letter, as follows:—

"*Nottingham, 3rd February*, 1832.

"My Lord:—I have the honour to inform your Lordship, that I have been permitted to read your Lordship's communication, dated the 31st of January, 1832, addressed to the committing Magistrates in the cases of the late rioters under sentence of death in Nottingham Gaol; and also the extract of a petition to the House of Commons in favour of the convicts. I have likewise to communicate to your Lordship, that the High Sheriff allowed me to inspect similar documents which had been transmitted to him, and came to hand on the morning of Wednesday, the 1st instant, prior to the execution of the three culprits, Beck, Hearson, and Armstrong. The prisoners not having made any complaints to me of any circumstances to justify the imputations stated in the extract of the petition, I considered it to be my duty, as the Attorney in whom those unhappy men professed to have confidence, to inquire of them whether those allegations were correct, or if they had any such, or any kind of complaints to make; and I beg to assure your Lordship, that all the prisoners answered my questions, by declaring that they did not know of any mysterious events having transpired in the prison, and that neither threats nor privations of any kind were inflicted to elicit their confessions; and, as a last statement, the prisoners, in the most feeling, and affectionate manner, desired to make their grateful acknowledgments and sincere thanks to the Gaoler and Turnkey, for their humane kindness towards them. I was induced to make inquiry of the prisoners at that awful period, not from any notion that the statements were true, but that I might know from the prisoners themselves, for the satisfaction of their friends, how far they had reason or occasion to make such complaints; and no men could behave better than these poor creatures did. It would, my Lord, have been somewhat singular, if any ground for such complaint had existed, that I, as the Attorney acting for the prisoners, and in daily personal communication with them in the prison, and their friends out of it, for nearly a month, should not have been informed by any of them of the imputed grievance.

"My Lord, I venture to say, that the two quoted allegations upon which I have observed are not true, or at least I am not acquainted with any circumstances to justify the statement. With regard to the last clause in the extract which more immediately concerns myself, and requires my attention, I beg leave to assert and assure your Lordship that there is not the slightest ground for it; on the contrary, every facility was given to me that I could wish or require as the Attorney acting for the prisoners, as the connecting link between the prisoners and their Counsel. I was always in Court, and never experienced any interruption to my communications in the progress of my duty. It is due to my own character to have these matters cleared up and distinctly understood, or the Magistrates might imagine that I was privy to the contents of the petition, and assenting to false allegations. I hope your Lordship will please to understand that I disavow the petition to the House of Commons. I was acquainted with the contents of the petition to your Lordship, and none other. It is due fro u me to the High Sheriff, and to the Magistrates of the county, and, indeed, to all their subordinate officers, to declare and avow, for myself individually, and for the prisoners collectively, that every assistance and facility was afforded to me at all times, not only during the trials, but in the progress of my preparing for the prisoner's defence, or I could not have accomplished so arduous an undertaking within the short period of three days. I assure your Lordship that I felt mortified and hurt on reading the extract of a petition, fearing that it might be attributed to my pen, or that I should be presumed to be acquainted with, and assenting to its contents. I shall transmit a copy of this Letter to the visiting Magistrates of the county gaol, and at all times be ready to afford any and every explanation in my power. I have the honour to be, my Lord, Your Lordship's humble Servant,

"SAMUEL PAYNE.

"To the Right Hon. Viscount Melbourne,
Secretary of State, &c. &c. &c."

Such was Mr. Payne's letter, and he hoped that the noble Viscount would exonerate the Magistrates. He must indeed state, that unless they were exonerated from these charges by the noble Secretary, he knew not how they could go on with public business. He would rather forfeit his life than his honour, and he declared upon his honour, that he thought that his friends and neighbours, the Magistrates of Nottinghamshire, had, during those riots, behaved with the most praiseworthy firmness and resolution.

Viscount *Melbourne* experienced the greatest happiness in being able to give a satisfactory answer to the noble Lord. He rose with great pleasure to bear testimony in the fullest manner to the able and energetic conduct of the Magistrates of Nottinghamshire last winter. Both before and after the Special Commission was opened, the Magistrates of that county, and especially of that hundred in which the town of Nottingham was situated, had conducted themselves with the greatest resolution, energy, and capacity. In his opinion, that county owed its acting Magistrates many thanks. As to the charges which had been brought against the Magistrates, in the petition which the hon. member for Preston had presented to the House of Commons, he had only to say this —that those charges had, some months since, been brought under his notice. He could now state that, from the inquiries which he had made, and from the very frank and manly declaration made by Mr. Payne, who had distinguished himself so much by his exertions as Attorney for the prisoners, he was convinced that the charges mentioned in the petition referred to were baseless, and without authority.

Lord *Middleton*: I am quite satisfied with what has just fallen from the noble Lord.

ATTACK ON HIS MAJESTY AT ASCOT HEATH.] Earl *Grey* said, that he rose to perform a necessary act of duty, in calling upon their Lordships to express their horror and indignation at the outrageous and flagitious attack which was yesterday made at Ascot upon the sacred person of his Majesty. Unfortunately, there were precedents for the proceedings to be adopted on occasions of this kind; and upon referring to them, he found that the two Houses of Parliament had generally, by a joint Address to the Throne, expressed their indignation and abhorrence at such outrages, and declared their sentiments of affection and loyalty to the Prince on the Throne. The first case of this kind occurred in the year 1787, when an insane woman, of the name of Nicholson, made an unsuccessful attempt to assassinate his late most gracious Majesty, George 3rd. That attempt was made during the recess of Parliament. But, on the first day after the assembling of Parliament, though the subject was not even so much as alluded to in the Speech from the Throne, a paragraph was inserted in the Address of both Houses, expressive of the grateful feelings which they, as loyal subjects, experienced at the providential interposition of the Almighty in the preservation of a life so valuable to the British nation. The next case occurred in the year 1795, when, on the 3rd of October, an attack was made on the carriage in which his Majesty, George 3rd, was returning from the House of Lords, after opening the Session of Parliament in State, either by a stone or by a bullet—it was uncertain which—proceeding from some person unknown, but under circumstances which left it in doubt whether the outrage was confined to an individual, or was the result of some secret but organized conspiracy. On that occasion the House of Lords proceeded immediately to examine witnesses as to the extent of the outrage, and, after its examination was concluded, requested a present conference in the Painted Chamber with the House of Commons, on a subject materially affecting the safety of his Majesty's person, and the honour and dignity of the Crown. The conference was held, and a joint Address was in consequence presented to his Majesty, expressive of their loyalty to his person, and of their indignation at the treasonable attempt to injure and destroy him. The third, and by far the most serious case, occurred in the year 1800, when a person of the name of Hatfield, who had been in his Majesty's military service, and had received several dangerous wounds in the head, drew a pistol in the theatre, and fired it at his late Majesty. This precedent, though differing much in the degree of danger, was the precedent most in point upon the present occasion. At that time, on the very day after the outrage was committed, an Address was voted to George 3rd by the two Houses of Parliament, without any other evidence having been sought, that the outrage had been committed, than the mere notoriety of the fact. Another precedent occurred in the year 1817, when his late Majesty, George 4th, then exercising the powers of the Sovereign as Prince Regent, was exposed, on his return from opening the Session of Parliament, to a similar attack to that which his august father, George 3rd, had been exposed in the year 1795. The precedent set in 1795 was followed in the year 1817, and a joint Address of condolence at the attack, and of congratulation at the escape from it, was presented by the two Houses to his late Majesty. These were the precedents to which he was desirous of calling the attention of their Lordships; and in following those precedents on the present occasion, their Lordships would see, that they were only performing their duty to a Sovereign who was well entitled, on every account, to the affectionate attachment and loyalty of all his subjects. The precedent the most in point on this occasion was that of Hatfield, in the reign of his Majesty's august parent, George 3rd. The circumstances of that case were matter of public notoriety; so also were the circumstances of the present. Here a stone was thrown from a person in the crowd against his Majesty with great violence. The stone struck his Majesty, and would have done him great injury, but for the protection which his hat afforded his head. The person who committed this extraordinary outrage was immediately taken into custody. He had seen the depositions which had been taken against this individual, and, upon reading them, it seemed to him that the outrage in question, was the act of a man with a mind perverted by derangement, or by excitement of some description or other, and that it had no connexion with any thing but the sense—no matter how created in the man's mind—of individual injury. The man was at present in custody, and in custody on a charge of high treason. He had assigned his motives for committing this outrage—they were such as could only have proceeded from a mind excited by liquor or derangement—and there was not even the shadow of a shade of ground for supposing that they were connected with any political reasons whatever. This was to him, and he had no doubt but that it would prove to the country, a source of great consolation. But he had also another ground of consolation, and that was, the great and universal feeling which had been displayed by the people on this occasion—a feeling which it was natural to expect from any loyal people, and still more so from a people like that of England, whose loyalty was based on their affection to a King who himself revered the law. He thought that this outrage, which, though it was in itself treasonable, had fortunately not assumed the appearance of dangerous treason, was such as would make every noble Lord feel it to be his duty to concur in voting an address to his Majesty, expressive of that feeling of attachment to his person which was justified by his Majesty's attachment to the principles of the Constitution, and to the interests of his people, and by his desire to bestow upon the nation all the blessings of a mild and just government. He would not do their Lordships the injustice of saying more to induce them to concur in the appeal which he had just made to them; he would, therefore, without further preface, conclude by moving,

"That an humble Address be presented to his Majesty, to express to his Majesty our horror and indignation at the late atrocious and treasonable attempt upon his Majesty, and our heartfelt congratulations that his Majesty escaped from it without injury to his sacred person.

"To express to his Majesty the deep concern which we feel at there having been found within his Majesty's dominions, a person capable of so flagitious an attempt; and that we make it our earnest prayer to Almighty God, that he will preserve to us the blessings which we enjoy under his Majesty's just and mild government, and continue to watch over and protect a life so justly dear to us."

The Earl of *Eldon* said, that he should have regretted that this Motion was not made in a fuller House, had he not been certain that men of all parties would join in this loyal and affectionate Address. It was a duty which their Lordships owed to his most gracious Majesty to present this Address—it was a duty which they owed themselves, to assure their Sovereign that they were ready to protect him against every outrage that might be attempted against his sacred person. He made this declaration upon his own part, and he believed that he might also make it on behalf of every noble Lord, a member of that House, absent or present.

The *Lord Chancellor* was glad that his noble and learned friend had called the attention of the House to the thinness of the attendance on the present occasion. That was owing to its being Wednesday, a day set apart by common compact in both Houses for relaxation—a compact, however, which, he was sorry to say, by some strange and lamentable fatality, had of late been more honoured in the breach than in the observance. If this Motion had been delayed till to-morrow, the House would never have presented a more gratifying spectacle than would have been presented in the numerous attendance of Peers, all eager to testify their pride and gratification at hearing that his Majesty had escaped in safety from the flagitious outrage attempted to be committed on his person. But, under existing circumstances, it was quite evident that such delay was totally inadmissible.

The Earl of *Eldon* believed that his noble and learned friend on the Woolsack had stated the case fairly. None of his own noble political friends and associates would have absented themselves on the present occasion, had they been aware of the probability of such a motion being made as had just been submitted to the consideration of their Lordships. He believed that none of his noble friends who were then absent would have thought it right to let the proposition of this Address be postponed for a single night in consequence of their absence.

Earl *Grey* assured the House that he was out of town when he first heard of the commission of this outrage. On hearing of it he had come to town with the utmost speed; but he had not arrived in time to give notice to their Lordships of his intention to move this Address to-night. If this Motion could have been deferred till to-morrow, which he was sure their Lordships would deem impossible, he was certain that it would have assembled one of the fullest Houses that had been ever known.

Resolution carried *nemine contradicente.*

Earl Grey then moved, that a Committee be appointed to prepare the Address to his Majesty.—The Motion was carried, and an Address, which was the echo of the Resolution, was then proposed to, and adopted by, their Lordships.

Earl Grey then moved, that the said Address should be sent to the Commons for their approbation, and that a message should be sent to the House of Commons, desiring a present conference in the Painted Chamber, on a subject materially affecting the safety of his Majesty's sacred person.—Motion carried unanimously.

The House of Commons agreed to the Conference, which was accordingly held; and the Commons signified their concurrence in the Address, which was ordered to be presented to his Majesty by the whole House.

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HOUSE OF COMMONS,

Wednesday, June 20, 1832.

MINUTES.] Bills. Read a first time:—Representative Peers (Ireland); Tithe Prescription.—Read a second time:—Union of Parishes (Ireland).

Petitions presented. By Colonel PERCEVAL, from Killala, and nine other Places;—by Mr. ANTHONY LEFROY, from Waterford, and three other Places;—by Mr. PIGOTT, from Osmaston by Ashbourn;—by Mr. SINCLAIR, from the Clergy of the Diocess of Exeter, and from Dumbarton; and by Mr. MILLS, from Marden, Kent,—against the Ministerial Plan of Education (Ireland.)—By Mr. O'CONNELL, from Dublin; and by Mr. RUTHVEN, from Newport Pratt, and Tiernar,—in favour of that Plan.—By Sir RICHARD MUSGRAVE, from Cappoquin;—by Mr. O'CONNELL, from Frome Selwood;—by Mr. RUTHVEN, from certain Inhabitants of Dublin; and by Mr. CHICHESTER, from Barnstaple,—for an efficient Reform in Ireland.—By Sir RICHARD MUSGRAVE, from Killrossenty and Rathcormack;—by Mr. RUTHVEN, from eight Places in Ireland; and by Mr. HENRY GRATTAN, from Ardbraccan and Courtown,—against Tithes.—By Sir GEORGE ROBINSON, from Northampton, in favour of the Registration of Births' Bill,—By Sir THOMAS FREEMANTLE, from Winslow;—by Captain BERKELEY, from Bosham:—and by an HON. MEMBER, from Shipley, and two other Places,—for means to employ the Poor.—By Mr. HENRY GRATTAN, from the Birmingham Political Union;—by Mr. O'CONNELL, from the Hull Political Union,—against the Privileges of Parliament Bill.—By Mr. SINCLAIR, from Caithness, for Stopping the Supplies.—By Sir ANDREW AGNEW, from St. Mary, Islington, for a better Observance of the Sabbath.—By Mr. MILLS, from Bristol, for Relief and Compensation to the West-India Interest.—By Sir WILLIAM GUISE, from Gloucester, for increased Allowances to Coroners.—By Mr. RUTHVEN, from Tuam, for an Equalization of the Elective Franchise.

BREACH OF PRIVILEGE — "THE TIMES."] Mr. *O'Connell* rose to call the attention of the House to a complaint personal to himself, relating to what he considered an infringement of the privileges of that House. No man living could be less disposed than he was to trench upon the liberty of the Press, being thoroughly convinced, that it could not do injury to any man who did not deserve, to a certain extent, to be injured, and no man had ever demonstrated the truth of his proposition more strongly than the humble individual who now addressed the House; for, during the last thirty years, more calumnies had been poured out against him than had ever been uttered against any one before, and he did not feel himself one bit the worse at the end of those thirty years in consequence. But he thought it rather too bad to be made to calumniate himself, as he appeared to do in *The Times* of that morning. He could bear that others should calumniate him, but it was going too far to make him traduce himself, and state a falsehood of himself that he might have the pleasure of being calumniated by himself. In a speech which was attributed to him in the debate of last night, the greater part was pure invention, and especially that part in which he was made to calumniate himself, and this was done in such a manner that it could not have happened by mistake. The report began by stating—'Mr. 'O'Connell would oppose the hon. 'Member's proposition. It was true that 'in doing so he was acting in the teeth 'of his reiterated pledges to his country-'men.' This mode of phraseology was totally untrue, for no such pledges existed It went on—'But as he had 'then his reasons for making those pledges, 'he trusted to his influence with his 'countrymen to convince them that his 'reasons for now opposing the intro-'duction of Poor laws into Ireland, which 'he had so often and so earnestly advo-'cated, were cogent, and valid, and rea-'sonable.' All he had said was, that his affections and his disposition had overpowered his judgment, and that he had two or three times acceded to the proposition of Poor laws without his reason being convinced—that his anxiety for the relief of the distressed had got the better of his judgment, and that it was from motives of compassion he had changed his opinion. He was then reported as saying that—'He had formerly stated it 'to be his opinion, that a main source of 'the wretched condition of the poor of 'Ireland, was the total absence of a 'legislative provision for their wants.' He had neither said this yesterday nor any other day. It would have involved a calumny upon himself if he had. 'It was 'now his equally conscientious opinion, 'that Poor laws would but aggravate 'that wretched condition,—[*hear*, from Mr. Rice.]' It was too bad to be made to make a speech against himself, grossly calumniating his own sentiments, introducing opinions for the purpose of retracting them, and representing him as giving pledges for the purpose of violating them. The report went on, and represented him as saying—'That owing to the wretched 'condition of the poor, the expectation 'of life was much less there than in this 'country, and its mortality much higher.' He had not said a word on this subject at all. A speech had been also attributed to the hon. member for Preston, who would be good enough to say whether the report was a faithful one. He should wait to hear what the hon. Gentleman would say on that point.

Mr. *Hunt* said, that the hon. member for Kerry might be able to form a judgment on the subject himself, for he was in the House during the whole time that he (Mr. Hunt) was speaking. He must say, that great part of the speech attributed to him on the subject of the Poor laws was pure invention. There were many points in it, not one word of which he had ever given utterance to or thought of. This was not to be attributed to the Editor of the paper, but to the Reporter for the hour; because afterwards, at a later period of the night, in the speech which he made on the subject of flogging in the army, he must say that he was very fairly reported. On this occasion, however, a speech was put into his mouth, not a word of which he had uttered.

The *Speaker* inquired whether the hon. and learned Member meant to press this matter any further? The explanation of the hon. Member would seem to show that the error was involuntary. If the hon. and learned Gentleman had any ground for supposing that an intentional misrepresentation had been made, the House would owe it to themselves to take further notice of the matter; but, if the hon. and learned Member conceived that what he complained of arose from error, and was not intentional, it rested with him whether he would propose any further steps upon it.

Mr. *O'Connell* said, that his principal motive in noticing the subject was, that he was afraid lest some hon. Gentlemen might say hereafter, that they recollected what, in fact, he had not said. As he could not trace it to any personal malice, he would not at present press the subject further, but he would consider of it, and if he could trace to any malicious motive the cause of his being so grossly misrepresented, he would again call the attention of the House to the subject.

Mr. *Crampton* said, that he would not undertake to defend the statement of the speech attributed to the hon. member for Kerry last night. He did not know whether it was correct or not, but as the hon. and learned Gentleman had mentioned recollection, he must say, that if he wished to look for an accurate report of the proceedings of that House on former occasions, he would look to the contemporary statements in the newspapers, as well as to "*Hansard's Parliamentary Debates*," and the "*Mirror of Parliament*," and he would put those documents against the recollection of any Gentleman, in or out of that House, or of most hon. Gentlemen, even as to what they themselves said in the House.

The *Speaker* said, that if the hon. and learned Gentleman did so refer to those documents, he would do that in which that House, as a House of Commons, would not support him.

Mr. *O'Connell* was understood to say, that those documents would furnish a confirmation of his statements as he had explained them, and a contradiction of those attributed to him by the newspaper in question.

Mr. *Dawson* said, there had been a time when the proceedings of that House were correctly reported, but to say that they were so now was a mere delusion. He knew that their proceedings did go forth to the public, and, until within the last year, the persons engaged in that labour had executed it in a highly praiseworthy and creditable manner. He admitted that he had seen, both in the contemporary journals and in "*Hansard's Parliamentary Debates*," most faithful records of what took place in that House, but during the last year, a shameful degree of party spirit had been exhibited by those who undertook to enlighten the public mind as to what passed there. They not only misrepresented, but they took their own view of a subject, and put in reports of their favourite speakers. If they were Reformers, as he believed they all were, they took down only the speeches of Reformers. If they were Anti-reformers, they did the same. He thought it right, therefore, to tell the people of England, that most shameful partiality and misrepresentation of what was said in that House prevailed. They had done more—they had gone out of their way to use expressions, and add notes or exclamations, and describe noises which had never taken place, necessarily giving the people a contemptuous opinion of the proceedings of that House. It was impossible, indeed, to read the reports of the last year without feeling a degree of contempt for their proceedings, and the dignity of the House was compromised in the opinions of the people of England by the way in which the reports of its proceedings were given. He had never proposed it before, but he should propose, that one of the first objects of a reformed Parliament should be, to take means that the reports of their proceedings should be sent forth to the public in an official shape. No man would be tolerated now in saying that their proceedings did not go forth to the public, but, as they did, they ought to go forth in an impartial and official shape. He hoped that one of the first objects of a reformed Parliament would be, that the front row of the gallery should be occupied by gentlemen under the control and superintendence of the House, and who should be responsible to it for the discharge of their duty in giving authentic, impartial, and official reports of the debates in that House.

CORONERS' BILL.] Mr. Cripps moved the order of the Day for the recommittal of the Coroners' Bill.

Sir *Edward Sugden* complained of the mode in which the four Bills of the hon. member for Stafford had been passed through that House, they having been disposed of at so late an hour on Saturday morning as to preclude any discussion of their merits. He thought that was highly improper; they were not party measures, but measures requiring a great deal of calm consideration.

ATTACK ON HIS MAJESTY AT ASCOT HEATH.] A Message from the Lords was here announced to the Speaker, who, by order of the House, called the Messengers in, and announced to the House that the Lords desired a present conference with the Commons in the Painted Chamber, on a subject materially affecting the safety of his most sacred Majesty's person, and also the happiness of his people.

Lord Althorp moved that the House do *instanter* agree to the conference with their Lordships' House.

Question agreed to unanimously.

Managers appointed, and a conference immediately held.

Lord *Althorp* shortly afterwards brought up the Report of the conference which had been held (his Lordship stated) with the House of Lords, for the purpose of requiring the assent of that House to an Address to his Majesty, on the subject of the atrocious and treasonable attack which had been made on the most sacred person of his Majesty.

The noble Lord then brought up the Address which was read. [For the Address, see the Resolutions in the Lords' Debates, p. 903.] His Lordship then said, it was not necessary for him to use any argument to induce the House to concur in the Address just read. Every man, not only in that House, but throughout the country, must feel indignant, that so atrocious and violent an attack should have been committed on his Majesty's person, when appearing before his subjects yesterday, when an individual chose to throw a stone, which hit his Majesty on the head. Fortunately his Majesty received no injury; and it was gratifying to reflect, that whenever his Majesty appeared before his people, he was received with the strongest expressions of applause, and with an enthusiasm which must have convinced his Majesty that every person concurred in the indignation by which they were all animated. The noble Lord proceeded to say, that the expressions of indignation to which he had alluded, were such as would be felt at any period, by every one of good feeling; but doubly strong must they be at the present time, when the country owed so much to his Majesty. And, indeed, when they considered what pains his Majesty had taken to make himself popular, and the whole course of conduct which he had pursued, it must excite the greatest astonishment that any individual could be found in these realms to be guilty of so flagitious and atrocious an attack upon his sacred person. He would not detain the House longer than by these few words, and would conclude by moving the House to concur in the Address.

Sir *Robert Peel* seconded the Motion, and remarked, that all observations to induce that House to give a ready and unanimous consent to the Address must be superfluous. No man could contemplate the facts of an assault so wanton and so audacious as that upon the sacred person of his Majesty, or of that some time previous, upon the Duke of Wellington, without the utmost indignation. But he did not understand from the noble Lord that the wretched individual who made this assault was in a state of mental derangement; and, if he did not happen so to be, he (Sir Robert Peel) conceived that this wild conduct could have arisen only from the state of political excitement which prevailed, an excitement which he trusted all loyal subjects would see the necessity of calming; and of inducing a return to that strain of sentiment and course of action for which Englishmen in former days were distinguished. Such was the duty of every loyal man; but he maintained, that it was peculiarly the duty of those in high station, or possessed of great influence, to inculcate obedience to the laws. He had heard doctrines promulgated in that House, calculated to produce consequences, which he was convinced never were intended by those who uttered them. If Members of that House maintained, that in cases of supposed grievance, the resort to physical force was justifiable and even laudable, who could doubt that the very worst effects must be thereby produced upon the ignorant classes. The natural conclusion for such persons to draw from such doctrines was, that they also would be justified in avenging their fancied wrongs by physical force. He hoped, therefore, that at a time, when it was so easy to inflame, they would all see the necessity of being guarded in the expressions they used and the doctrines they set forth; and that they would remember that one of their first duties, as Legislators and Representatives of the people, was, to inculcate obedience to the laws.

Mr. *Stanley* had hoped that, on such an occasion as the present, the feeling, not only of both Houses of Parliament, but of all loyal subjects, would have been in perfect unison, whatever might have been the individual differences in political opinion, and that no string would have been touched by any hon. Member, which was calculated to introduce a jarring feeling, or an interruption of that full current of harmony which they were about to pour forth before his Majesty. It was upon that account that, although not differing from the sentiments of the right hon. Baronet, he regretted the intermixture with their loyal expressions—their utter indignation, and deep abhorrence of the atrocious and treasonable attack upon his Majesty—of any sentiments which might lead, if the House were disposed to enter upon it, into a discussion of great political questions which had long distracted this country, and which had produced an excitement that, he agreed with the right hon. Baronet, it was the duty of every loyal subject to allay and assuage. It was impossible that any man could contemplate the atrocious attack on the Duke of Wellington without the utmost disgust—the utmost shame—if such conduct could be attributed to any large body of the public. No man could hesitate to say, that the attack on the noble Duke was most deeply disgraceful; and doubly disgraceful, when it was considered that it took place on the anniversary of that event which, while it permanently established the peace of Europe, added fresh laurels to the head of the conqueror, and from him reflected imperishable glory upon the country—a glory which every Englishman must be ashamed to think had been tarnished by throwing insult upon the Hero of Waterloo. But now they were looking to a higher character—to a higher and more sacred object—to one who, personally and constitutionally, had a claim upon the loyalty and affection of the people of England. No man could hesitate to declare, that the attack upon his Majesty had been most atrocious; and he, therefore, regretted that the right hon. Baronet had mixed up this question with political considerations with which it could not properly be connected. From both attacks the people of England shrunk with horror; no less from the attack on the noble Duke, the conquering hero of a hundred battles, than from that upon his most gracious Majesty, the father of his people, the constitutional Sovereign; whose situation personally, and whose public character, claimed alike the affection and the reverence of all Englishmen. The attack, however, upon his Majesty, was still more deeply to be reprobated; but he denied that there was anything of politics mixed up in it. It was the atrocious act of an individual; it originated in no political feeling; and he again regretted that the right hon. Baronet had introduced any allusion to politics, and expressed his conviction, that every body must look upon the act with the greatest abhorrence, and that the House could not fail to concur in its reprobation.

Sir *Robert Peel* explained, that he never intended to say, or had said, that the attack upon the Duke of Wellington was of equal enormity with the attack upon the King. He had only intimated that each was referable to the same cause—namely, the political excitement which prevailed—not solely on account of the Reform Bill, but from a variety of concurrent causes on which he had not touched. He had said, and he now repeated it, that both those events ought to be a warning to them how they propounded doctrines, and used language, which might produce the worst effects upon the ignorant classes—effects which, he had no doubt, had not been intended by the persons who incautiously maintained the doctrines to which he referred. He denied that he had introduced any question of party or political feeling. It was true he had alluded to the hon. member for Middlesex. He remembered other occasions on which that Member had used language in his place in that House which had been misconstrued, and had produced effects which were greatly to be lamented. He remembered that, in November, 1830, when great excitement prevailed, the hon. Member had used the expressions which were before quoted in that House—namely, that the day of vengeance was come. Now, he asked, if a member for the metropolitan county told the people that they should resort to the use of physical force, if their grievances were not redressed, and boasted that the day of vengeance was come, could they wonder that an ignorant man should be misled by the promulgation of such opinions, and fancy that he had a right to vindicate his personal wrongs by physical force? He, therefore, once more urged upon the House, that these things should be a warning to them to be moderate in their language, and cautious in the doctrines they propounded.

Mr. *Stanley* quite agreed with the right hon. Baronet in the sentiments he expressed, but only objected to the admixture of a political feeling with that expression of indignation at the assault, and congratulation to the Monarch on his escape, in which all men must agree.

Mr. *Hume* said, that after the unfair attempt of the right hon. Baronet to join the recent attacks upon the Duke of Wellington and the King, with words used by him, he could not avoid making one remark. He had already, at the time, explained those words, and his explanation remained uncontradicted; it was, therefore, uncandid and illiberal for the right hon. Baronet, to again put an erroneous interpretation upon them. And as to the quotation respecting the words attributed to him in November, nobody could refuse to allow that he had always deprecated violence. If the right hon. Baronet objected to any phrase he had used, he ought in fairness to have moved at the moment that it be taken down. It was an illiberal attempt to make it appear to the country that there was a connexion between his words and the recent events. He felt as indignant at these attacks as any man could—they were most atrocious in themselves, and most deeply to be regretted from the time at which they were made.

Sir *Charles Wetherell* said, that although his right hon. friend had been not less than four times castigated by the right hon. Secretary, for introducing the subject of the outrage on the noble Duke into this discussion, he was clearly of opinion, that this outrage was by no means foreign to the subject before them. That right hon. Gentleman had charged his right hon. friend with introducing party and political topics into this discussion. The only topic of this kind to which it was possible he could have alluded, was the Reform Question; and he would be satisfied to put it to the whole House whether his right hon. friend had come within 100 leagues of that topic, in anything he said to-night. But it was enough to raise such an inference that his right hon. friend had deprecated all encouragement, by Members in that House, in their speeches to the people, to make an appeal to physical force; for, if there were anything in which the right hon. Secretary for Ireland throve pre-eminently in debate, it was in dexterously and insidiously attributing to men what they had never said, or had never entered their minds. It reminded him of what George Selwyn had said, that an accomplished debater was a man who had the dexterity to charge his adversary with advocating doctrines he had never supported. Thus the right hon. Secretary, having adopted this practice, and having secured from those able Gentlemen around him their cheers, he went on swimmingly, assuming all along that his right hon. friend, the member for Tamworth, was all in the wrong, and he, of course, in the right. The hon. and learned Member concluded by reprobating, in strong language, the cowardly attacks made in the last and this week, on the Duke of Wellington by the populace, goaded on to it, as they had been, he acknowledged, by language delivered, in different speeches of late, by persons in and out of Parliament; and by stating that he should, however, most cordially support the Motion for the Address.

Sir *Francis Burdett* said, he felt so strongly on this subject, that he was unwilling to speak lest he might fall into the error he should deprecate in others. He had heard of these attacks with great regret. It was most deeply to be lamented that anybody could be found in England to commit an outrage upon the person of the Duke of Wellington, whose fame and whose reputation was a part of the public property, and whose name our children's children, to the most remote generations, could never hear without an overflowing feeling of gratitude. It was shocking, therefore, to think that there should now be persons in existence, at a period so little remote from the glorious actions and distinguished services of that great man, who could be guilty of such an abominable display of the vulgar malignity proper to their base natures. He should have thought that there was not a man in England capable of exhibiting himself in so horrible a character. And with respect to the wretched man who had assaulted his Majesty, if he were not absolutely a maniac, he must certainly be a strangely-excited individual. But this obnoxious conduct of his was no shame to the country; because any country might have the misfortune to give birth to such a person. The learned Gentleman opposite had, he thought, read a lecture rather to the right hon. Baronet (Sir Robert Peel) than to the right hon. Secretary (Mr. Stanley); and he concurred with the latter in regretting that the indignation which they all felt should be mixed up with any extraneous matter. He protested not only against the attacks alluded to, but against others of an even more atrocious description, which had not been alluded to, and which must excite disgust unutterable in every true-hearted Englishman—in every manly mind—he alluded to the vile, the loathsome, the execrable attacks, upon one whose sex, not less than her illustrious station, ought to have been her protection—the attacks upon an illustrious lady, who had been brought forward in a way most deeply disgraceful to Englishmen, and which made him doubtful and apprehensive where this incipient spirit of baseness might lead to. He had finished. He was anxious to stop at the point where all must concur. His only feeling of apprehension with respect to the Motion was, lest it might appear to give too much importance in the eyes of the people, and in the eyes of foreign powers, to an event which was only important from its reference to the highest quarter in the realm.

Mr. *Croker* had heard the hon. Baronet with great pleasure. He agreed with him in every syllable he had uttered, except, perhaps, in some of the incidental arguments, which were hardly worth noticing. He was particularly glad that such observations had fallen from the hon. Baronet, who had, in the first instance, complained of his right hon. friend having unnecessarily introduced political subjects. But, in fact, the hon. Baronet had gone much further than his right hon. friend. Had his right hon. friend thought it necessary to allude to the brutal attacks that had been made by the Press on a personage whose sex and character, if not her station, ought to have protected her? No. He had alluded generally to the state of excitement which prevailed, and he left each man to draw his own conclusions from the particular atrocities which might have struck his mind. But the hon. Baronet followed this up, and alluded, with a feeling that did him honour, to attacks still more atrocious, as he had justly called them, than those before adverted to. He must say for himself, that he believed that the attack on his Majesty was the work of an individual maniac. He believed the wretch was mad. At least, if it were true that he professed to have assaulted his Majesty in order to obtain justice from the Directors of Greenwich Hospital, he was as mad as any man in Bedlam. But it did not follow that this conduct of his arose entirely from madness. Was not the mania stimulated, excited and directed by exterior causes? Was he not pursuing the same course with others, whom no one suspected of being mad? Was this the first insult which had been offered to his Majesty? Had he not read in the papers of the day, that his Majesty, in coming to town from his palace at Windsor, had been obliged to change the road by which his grandfather, his father, and his brother, had been wont to travel? And was it possible not to connect this with the other insult to his Majesty? He did not mean to connect them personally—he did not mean to connect the two sets of people. He only spoke as to the prevalence of the excitement which acted upon both—an excitement which, he maintained, it was the duty of all men, and especially of his Majesty's Ministers, to endeavour to allay; and certainly, not one word would he say which was calculated to increase it. There was one instrument of excitement—one provocative to such violences, to which he must call the attention of his Majesty's Ministers—he meant those detestable publications which were circulated in the streets, and forced even gratuitously, into the hands of passengers, and which excited to outrages on the King and Queen more horrible than that of which they were about to express their detestation. But this was not all: he had also heard that in a theatre of this town—and they all knew the effect of scenic representations on the people—there had been a representation directly tending to bring the King and Queen into odium; and, lest the application of the ridicule in the piece itself should not be sufficiently obvious, the play bills gave at full length the grossest libels upon the King and Queen. He held in his hand one of those play bills, and he ventured to say, a grosser libel never was published. He mentioned this as a warning to the Ministers. They might not have heard of this. He happened to have received the bill from a person who brought it from the theatre. They might not have seen it, though he certainly should think it strange that, in a well governed town, so gross and so public an outrage should have continued for so long a time unknown to the police and the Government. But to revert to the treasonable insult at Ascot. The act of this individual maniac was to be dealt with as the act of a maniac, but it was not on that account to be despised; for the nature of the disease of political maniacs was, to be excited by public events and public agitation. There was no instance in which such persons were not excited and urged forward by some great degree of public commotion, produced by agitation, by the Press, and by violent and gross attacks upon the King and Queen, and other high personages of the realm. Therefore, it was not irrelevant to connect these matters with the subject before them; and he hoped the Government would take them into consideration. It was not to be endured that while the wretched offender at Ascot was made the subject of public indignation and legal vengeance, those persons should not be visited with the highest penalty of the law, who, with no excuse of grievance or insanity, presumed, for base lucre, to make such gross and atrocious attacks upon the Sovereign and her Majesty, that they might fill their filthy house with the still filthier rabble. But, above all, he, at least, would not consent that the great agitators—the prime movers of all this commotion and sedition—should escape without notice or animadversion, while they were lavishing so much loyal indignation on the comparatively less important offence of one miserable madman.

Lord *John Russell* thought, that on the present occasion it would have been well to avoid all allusion to words used on a former occasion by a Member of that House; because the contrary course could hardly fail to insure an intermixture of unpleasant and irrelevant matters with the subject under immediate consideration. The right hon. Gentleman who spoke last had wisely abstained from all political or party allusions. He agreed with the right hon. Gentleman respecting the noxious character of the libels in circulation. The only question was, how they were to be put down. He had observed with great regret, with pain, and with disgust, that the presence of their Majesties in the Capital had been accompanied with insult; and, particularly had he been affected with indignation at the vile attack directed against a person, illustrious by her rank, and deserving of all respect and regard from the character which she had maintained ever since she reached her present exalted situation. With regard to the libels in the street, he really knew not what course should be pursued. He feared that prosecution would only have the effect of giving them increased circulation. But as to the performance at the theatre, he had now only heard of it for the first time, and he had no hesitation in saying, that in this case, the law of the country ought not to permit such proceedings. He was told, however, that the theatre in question was not within the Lord Chamberlain's jurisdiction. He repeated, that this theatre ought to be visited with the execution of the law, and that such performances should not be suffered to exist, as being a disgrace to the British metropolis.

Mr. *Croker* said, the theatre was an obscure one, under the jurisdiction of the Surrey Magistrates. He pledged himself that the play bill was as atrocious a libel on the King and Queen as ever was published, and he would take care to transmit it to the Secretary of State for the Home Department.

Mr. Alderman *Venables* said, it was only the lowest rabble who had attacked the Duke of Wellington in the city, and the assault on him had excited universal indignation.

Mr. *Duncombe* stated, that the Dramatic Committee had had Davidge, the manager of the Coburg, before them, and that he had stated this bill was published during his absence from town, and that he had suppressed it on his return: the play alluded to was *Tom Thumb.* It was performed in the usual manner, and had not been by any means attractive in consequence of the play-bill. He understood, too, from what he considered good authority, that an illustrious Duke,* the object of one of these attacks, had gone in person to this theatre to witness the performance, and had returned perfectly satisfied that *Tom Thumb* there, was just the same as it was everywhere else.

Mr. *Hunt* concurred in the Motion, but wondered very much at the speeches made by hon. Members opposite, when he remembered how they cheered when the Member who spoke last but one had alluded on former occasions to attacks upon the person and property of the Duke of Wellington. It was wrong, after having connived at the great excitement which had been produced in the public mind, to talk of paltry little publications, and pass over that great giant, *The Times.* He should feel that he acted most unworthily if he did not say, that the columns of *The Times* had been filled with articles tending to produce excitement. Had not Gentlemen opposite heard of the manner in which the King and Queen had been treated in going through Hounslow and Brentford? Had they not heard of the gross insults which they had received on their visit to the exhibition at Somerset House? Yet nothing was said of those matters then. If, therefore, they connived at those matters when they occurred, it was a little too late to express extraordinary astonishment at what had recently happened. Day after day there had been published attacks on the King and Queen in *The Times.* The King was accused of having been led by the Queen, and the most opprobrious epithets were used on the occasion. He should be ashamed of himself when he heard little publications accused of creating excitement, if he did not say that *The Times* was much more culpable [*a laugh*]. The right hon. Secretary for Ireland might laugh; he congratulated him on being able to do so. To him it did not appear to be a laughing matter. He thought it a most dastardly and cowardly act to attack an individual, as the Duke of Wellington had been attacked, however unpopular he might be. But enough of excitement had appeared in *The Times,* without charging smaller publications. Did not *The Times* say it was possible the mob might tear the Duke of Wellington to pieces, as they had done De Witt? And was it not too bad to attack little publications for exciting the people, when such articles had appeared in *The Times?* He very much regretted that such an insult should have been offered to the King, as that which had been offered to him yesterday. But his Majesty had been insulted elsewhere. An individual keeping the turnpike at Hammersmith, had offered his Majesty a gross insult in the presence of the Queen. But who was it that had brought his Majesty into such a state of unpopularity to be thus insulted and hissed? He hoped they would always be ready to denounce an attack upon an individual, whether that individual was the King or the Duke of Wellington. Such an attack was most disgraceful and cowardly; and he should consider himself as acting in a most dastardly manner if he did not do everything in his power to reprobate it.

Sir *Edward Sugden* observed, with reference to the attack on the Duke of Wellington, that it was made by the lowest of the rabble. Several gentlemen came forward, and gave him their strenuous support; and the matter ended in a sort of triumph to his Grace, who was attended home with the greatest demonstrations of honour and respect.

Mr. *Lamb* allowed that there were many publications which had laid themselves perfectly open to prosecution for libel; but the policy of prosecuting sometimes became very doubtful. With respect to the play performed at the Coburg, there was no alteration in the usual manner of performing it. So soon as the Magistrates at Bow-street heard of the circumstance, they sent for Mr. Davidge, and the piece was stopped. It was but justice, however, to Mr. Davidge, to say, that he had expressed his intention of stopping the piece before the interposition of the Magistrates.

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* The illustrious Duke referred to in the text, is the Duke of Wellington; and in reference to Mr. Duncombe's remark, Mr. Croker in the course of the evening, took an opportunity of stating, that subsequent to Mr. Duncombe's making that remark, he had learned that the noble Duke had not seen the exhibition, or any other, at the same place.

Mr. *Croker* repeated, that it was the commentary in the Bill which was the offence. That commentary went through the piece scene by scene, and song by song, and pointed out the parts which the writer supposed applicable to the King and Queen; so that, although the play might have been performed as usual, yet, by this commentary in the bill, it was rendered a most atrocious libel.

Mr. *Lamb* said, that of course he could not be understood as vindicating the occurrence in question; he had merely adverted to the nature of it rendering the consideration of its prosecution a difficult question.

The Address agreed to; and it was ordered that the House of Lords should be informed of the concurrence of the House of Commons.

Lord Althorp and the other members of the conference immediately left the House for that purpose.

CORONERS' BILL.] The House then reverted to the Order of the Day for the re-committal of the Coroners' Bill.

Mr. *John Campbell* rose to vindicate himself from the charge of precipitancy in the conduct of the four Bills alluded to by his hon. and learned friend; and observed, that they were measures in which he had no personal interest, and that he had been induced to introduce them only in consequence of his conviction that they would be of great public utility. He must say, that no Bill could have been proceeded with in a more deliberate manner.

The House went into a Committee.

On coming to Clause 8,

Mr. *Hume* said, he thought it was of importance that Coroners should understand the value of medical evidence, and he should, therefore, propose, that at the end of clause 8, there should be inserted words by which it should be required that before any man was admitted to be a Coroner, he should produce certificates of having attended two courses of lectures on medical jurisprudence.

Lord *Althorp* said, that men might be called on to offer themselves for the vacant office of Coroner, who had not anticipated that they should do so, and who, though perfectly fit, from previous education as lawyers, to fill the office, would not be able to produce the certificates required by the hon. Member, and then who was to act as the substitute, until these persons had qualified themselves? However practicable such a plan might be in the metropolis, it could not be carried into execution in the distant parts of the country.

Mr. *C. W. Wynn* thought it unnecessary that the Coroner should be a medical man, for that was the object of this Motion; but he was clearly of opinion, that it was absolutely necessary for the Coroner to know the general rules of the law of evidence. He was ready at once to say, that no knowledge could be misplaced in a judicial officer of this kind, and that if the Coroner was acquainted with medical jurisprudence, he might discharge his duties in a better manner; but that knowledge was not, like a knowledge of the law, actually necessary to the discharge of the duties of his office. If it was necessary, as the hon. member for Middlesex seemed to presume, that a Coroner should have medical knowledge, the same argument would apply with equal, if not greater force, to the Judges, who ought not, therefore, to be appointed, without proof of having received similar medical instruction.

Mr. *O'Connell* said, that when a case of a charge of poisoning came before a Coroner's Jury, the Coroner could not properly direct the Jury as to the value of the medical evidence given before them, unless he had received the instruction proposed by the hon. member for Middlesex. He should, therefore, support the Amendment.

Mr. *Strickland* observed that legal knowledge was absolutely necessary for a Coroner, and he believed that the profits of the office were in general much too small to obtain men to fill it who, in addition to their professional education as lawyers, had also obtained a knowledge of medicine. He knew that there was a mistaken notion abroad as to the profits of the office, because there had been a contest for it once or twice; but he believed that those contests proceeded from very different causes, and he knew with respect to one of them—the most expensive that had occurred—he meant in the county of Stafford—that it was a contest between two political parties, who wanted to try their strength, and who gladly adopted the opportunity offered them by the election of a Coroner. The expenses of that contest were defrayed by them. He should oppose the Amendment.

Mr. *Frankland Lewis* would also oppose it. He recollected an instance in early life, when the greatest inconvenience had occurred because the Coroner was not acquainted with the law; and on that occasion the Grand Jury were advised by the Judges then on the Circuit, to select a man who knew the rules of evidence, for that legal knowledge was absolutely necessary for the situation. Every subsequent event had only confirmed him in the justice of that opinion. He thought the emoluments were too small to require medical in addition to legal knowledge in the candidates for it. Besides this, two courses of lectures would give the student but a very superficial knowledge, more likely to mislead him into a false opinion of his own knowledge, than to give him much valuable information; and by the advance of science, that which he learnt at one time would, perhaps, be superseded in ten years afterwards; so that, in fact, the result would be, that none but a thoroughly educated medical man would be fit for the office. Now, it seemed to him more important for the medical man to state his evidence as a witness than to lay down the law as a Judge; and he should, therefore, oppose the Amendment, which would lead to the opposite course.

Mr. *Schonswar* likewise opposed the Amendment, and expressed his belief that it was of the utmost importance that the Coroner should be acquainted with the law, and be assisted by the evidence of medical men. There could be no objection to that practice, for the expenses of medical men on such occasions were always allowed. If the Coroner were to be taken from the medical profession, so much would the duty of a Coroner interfere with a medical man's practice, that none who were at all eminent in their profession would think of undertaking the office. The medical candidates would generally be men who were not particularly successful in their professions.

Mr. *Hume* said, with regard to the observations as to the small profits of the office, that when it appeared the emoluments were not sufficient, they might be increased. Medical education, too, might easily be had at the King's College, or the London University.

Mr. *Bernal* observed, that one of the effects of this clause would be, that Coroners must absolutely be medical men. This must especially be the case in poor counties, where young men could serve their articles as attorney's clerks, without coming to London, and might fit themselves in that manner to be attorneys and Coroners, but they could only obtain medical knowledge by coming to London, an expense that would, of course, never be incurred merely for the chance of afterwards being Coroners.

Sir *Charles Forbes* said, that in India a surgeon was attached to the office of Coroner, whose duty it was to attend all inquests.

Mr. *Hunt* recollected, when all the Coroners of Wiltshire were medical men. In his opinion, a man of plain common sense would be better than either a lawyer or a medical man. The manner in which Coroners performed their duty wanted revision, for he knew an instance of a man being murdered in gaol by the Gaoler; the Coroner held an inquest on the body in the prison, and, by carefully excluding all witnesses, brought in a verdict of accidental death.

Mr. *Crampton* admitted, that the knowledge required by the hon. member for Middlesex was desirable, but he thought the best way to secure the election of a proper person was, not to hamper the office with too many conditions.

Sir *Charles Wetherell* hoped that the hon. member for Middlesex would also move, that those who produced a certificate of having attended two courses of lectures, should also produce a certificate of having understood them. If the Amendment were agreed to, it ought to be carried further, and no Judge should be allowed to try a man for murder who had not received a medical education.

Mr. *O'Connell* thought, at least, the certificate of having two courses of lectures was quite as useful as a certificate that a man had eaten thirty six dinners as the qualification to become a Barrister.

Mr. *Courtenay* admitted that it would be desirable for a Coroner to be a man of eminent abilities, to decide between the conflicting medical testimony which might be produced before him; but, if he were only to have a smattering of knowledge, he had better be without it. Medicine, it was well known, was divided into schools, and the members of the profession embraced rival theories. On that account, he was convinced, as they could not have eminent medical men for Coroners, that lawyers would be better able than half-instructed medical men to decide between conflicting testimony, and to charge the Jury properly.

Mr. *Cripps* could not consent to the Amendment. If the Coroner were a legal man, he could call a medical man to his aid; but, if he were a medical man, he did not know how he could summons a legal man to assist him.

The Committee divided on the Amendment:—Ayes 11; Noes 80—Majority 69.

List of the Ayes:

Bulwer, H. L.
Evans, Colonel
Ewart, W.
Hunt, H.
James, W.
Morrison, J.
O'Connell, D.
O'Connell, M.
Stephenson, W.
Warburton, H.
Wood, Alderman

Teller.

Hume, J.

Mr. *Warburton* rose to propose the insertion of a clause, declaring that all inquests should be public. He said that he never heard of an instance of an inquest having taken place privately, which had not given rise to greater excitement, dissatisfaction, and suspicion, than had ever arisen from a public inquiry. In the words of a great man lately deceased, "publicity is the soul of justice." The necessity for making Coroners' Inquests matters of publicity, in a country where almost all the proceedings of criminal justice were conducted openly, was so manifest, that he felt it quite unnecessary to say any thing more in support of his proposition. He would therefore move the insertion of the following clause:—"Be it enacted, that any Inquest upon the body of any person shall be held in open Court, and that the evidence of witnesses and the charge of the Coroner be delivered in open Court, and that all proceedings be carried on in open court, with the exception of the deliberation of the Jury, if they think fit to retire."

Mr. *Cripps* said, it would be extremely inconvenient to have inquests held in open Court in private houses. The feelings of the family of a man who had destroyed himself, would be wounded, by having a crowd of curious persons assemble in their house. He could not see how this objection could be surmounted; but, if it could, he would not object to the clause.

Mr. *O'Connell* said, that if there were any obstacle opposed to the publicity of an inquest, on the ground that it was to be held in a private house, the Coroner could adjourn to any other place. Having seen something of private inquests, he could understand why so many persons were desirous of becoming Coroners. Having the power to exclude witnesses and reporters, they might expect to turn the office to account. To put such a case as had been stated by the hon. member for Preston, he would suppose that a man had died in gaol—had been murdered in gaol—and such things had sometimes happened!—what security was there that the Coroner's inquiry would lead to a full and fair investigation, if the inquest could be held in secret? In all such cases, the only protection which the people could have was by the free admission of the reporters of the public Press. He looked upon the impunity of those who were concerned in the celebrated murders at Manchester to have been secured by the imperfection of the law respecting the Coroner's Court. The highest Courts of Law were open, although in them there was some guarantee for justice, in the education, experience, previous character, and responsibility of the Judge; whereas, neither experience, nor education, nor any qualification whatever was required in the Coroner, who had the power of deciding absolutely and in secret.

Mr. *Strickland* said, that in several instances that had come under his own observation, in which private inquests had been held, the greatest public excitement had prevailed; and he thought that the time had arrived when the House should decide — aye or no — whether Coroners should have the power of excluding the public from their Courts. He would support the proposition of the hon. member for Bridport, because he believed that no inconvenience, but much benefit, would result from it.

Sir *Robert Inglis* thought, that Coroners should possess the discretionary power, which they seldom exercised except in extreme cases, of excluding the public from their Courts. It sometimes happened that the publication of the evidence taken before a Coroner facilitated the escape of a prisoner, and in other cases it operated to the prejudice of a prisoner, by creating an unfavourable impression against him previously to his trial. What was meant by publicity was, that reporters should be present to send forth to the world every thing which occurred before the Coroner, and to that he decidedly objected, for the reason which he had stated.

Mr. *O'Connell* observed, that prisoners might adduce evidence in their favour at inquests. A verdict of murder given by a Coroner's Jury was as likely to prejudice the minds of the public against a prisoner as the publication of the evidence on which the verdict was founded. The law which gave the Coroner the right of excluding the public was of very recent date. It was only known to the profession within the last fourteen or fifteen years. It was new, and Judge-made law.

Mr. *Hunt* said, that the objection which the hon. member for Oxford made to the publication of evidence before Coroner's juries might, with equal justice, be urged against the publication of proceedings in police-offices. It was notorious, however, that the latter, in many instances, led to the apprehension of criminals. He had lately seen a report of some proceedings which took place upon an application against an individual for making some observations upon an inquest which was held in a palace in this country. He hoped a clause would be introduced into the Bill to prevent a Coroner, when murder was committed in a palace, from getting rid of the first Jury summoned to inquire into it, and summoning another which was packed. That dark and bloody transaction had never been fully cleared up yet, because the principal person engaged in it was not examined before either Jury. That transaction must yet be inquired into, if there was any justice in the country. The right of excluding the public from Coroner's Inquests was first assumed, twelve years ago, at Manchester. He would appeal to the Chancellor of the Exchequer whether, in times like these, he would allow the law to remain as it was. In fact, a Coroner's Inquest, as the law now stood, was little better than the Star Chamber or the Inquisition.

Sir *Charles Wetherell* said, that since he had been a Member of that House, he had never heard any subject more improperly introduced than the topic which the hon. member for Preston had dragged into the discussion. The hon. Member had thought fit to state that the transaction to which he alluded had not been examined into. He would tell the hon. Member, that it had been inquired into, and he would further tell him, that if he had read over, as it appeared he had, the pages of the abominable libel which had recently come under the notice of a Court of Justice, he ought not to have repeated any of its intolerable atrocities in that House. If the hon. Member permitted himself to allude to it, at least he ought not to have been the copyist of the infamous language of an infamous libel.

Mr. *Hunt* had read the libel as it appeared in the reports of the hon. and learned Member's speeches.

Sir *Charles Wetherell* asked, what then was it that the hon. member for Preston had dared to say? [*hear*, *hear*,] He would ask again, what was it that the hon. member for Preston had dared to state, in allusion to the case in which the name of a certain illustrious person was implicated? The hon. Member had dared to say that, on the occasion to which he referred, and with respect to a transaction in which the name of an illustrious individual was implicated, the Coroner discharged one Jury, and summoned another, which was a packed one. The hon. Member asserted what was untrue when he made that statement. The hon. Member had made use of language almost as libellous as that which was at present in the course of prosecution, when he talked of a murder having been committed in the royal palace. The first Jury was dismissed because it was composed of the servants employed in the palace, and a second Jury was convened from the parish at large, in order that there might be no suspicion of partiality. When a Member of that House made a statement implicating the character of another man, and was informed that it was not correct, it was his bounden duty, as a gentleman, an honest man, and a Member of Parliament, to rise and say that he had not intentionally, but inadvertently, stated what was not true [*hear*, *hear*]. The House cheered, as if to call upon the hon. Member to rise and make that declaration. There was not a particle, or a speck, or atom of truth in the statement made by the hon. Member. The hon. Member said that the principal person in the transaction was not examined before the Jury. Undoubtedly, the unfortunate man who put an end to his existence, and who, he supposed, was the person designated in the slander of the hon. Member, was not examined. The hon. Member spoke of a "bloody transaction;" certainly, suicide was a bloody act. If the hon. Member had, as he ought to have done, read over the accounts of the investigation before the Jury, he would have found, that it was a matter of physical demonstration, that the unfortunate individual, whose death was the subject of investigation, fell a sacrifice to a suicidal act. This fact did not depend upon the opinion of any person, but was a matter of demonstration to those who examined the body and the apartments. The Jury were unanimous in their verdict. The hon. Member was pleased to say, that the Jury was packed. Did he know of whom that Jury was composed? The hon. Member might know Mr. Place, who was a public-spirited man in Westminster, and was the Foreman of the Jury. The hon. Member would not have dared to state before Mr. Place one-tenth part of what he had stated in that House; or, if he had, he would have been desirous that any person should stand in his coat and waistcoat rather than himself. He was quite sure that the hon. Member would not have dared to tell Mr. Place what he had untruly stated in that House—namely, that the Jury was packed by the Coroner, in order to prevent justice being done in that as in other cases. He hoped the hon. Member would recant the false statement which he had audaciously made, and which no other man but himself in the House would have had the temerity to make. With respect to the Motion before the House, he would certainly oppose it. He believed that no abuse resulted from the holding of inquests privately, any more than in the case of Grand Juries.

Mr. *Hunt* said, that the hon. and learned Member had complained of him for attacking other persons; but he thought that he had a right to complain of the attack which the hon. and learned Member had made upon him. The hon. Member had spoken of his having dared to do this thing, and of having had the audacity to do the other thing, though, to be sure, according to the usual parliamentary courtesy, he had acquitted him of intentionally stating an untruth. The hon. and learned Gentleman had accused him of quoting from a libel. He had never read any part of that libel, except what the hon. and learned Member had himself read in Court upon affidavit. He, however, had stated a fact, which the hon. and learned Member, with all his audacity, had not dared to answer. He stated that the principal person concerned in the transaction to which he alluded, had not been examined before the Jury. To that statement the hon. and learned Gentleman shrunk from replying. The Duke of Cumberland was not examined, and therefore he said, that it was a mysterious and bloody transaction. He had made no accusation against any person but the Jury, for not having done their duty. The hon. and learned Member said, that he (Mr. Hunt) would not dare to state to Mr Place what he had stated to the House. It happened, however, that he made the same statements to Mr. Place, years ago, four days after the Jury found their verdict. At the time the event occurred, he saw Mrs. Sellis, and the mother of Mr. Sellis, and communicated with them on the subject. He did not hesitate to say that, looking at the situation in which the body was found in bed, the marks of blood, the position of the basin and the razor, it was impossible for any man of common sense to believe that the man could have cut his own head off. That was his opinion, and he had the audacity to state it. No doubt the hon. and learned Member believed what he had stated to be true, but he had been instructed as to only one part of the case. The transaction was one which must be investigated yet. The hon. and learned Member, with some ingenuity, said, that the principal person engaged in the transaction could not be examined, because he had cut his throat. That was only an attempt to mislead the House; for the hon. and learned Member knew that he could not allude to that unfortunate individual.

Mr. *Cripps* said, that he could state a fact which had removed the impression that had, in the first instance, been made upon his mind by the position in which the razor was found. It would be recollected that the razor was found upon the bureau; and it was surmised that it was impossible that it could have been placed there, if the man had destroyed himself. As he lived in the neighbourhood where the transaction took place, he went early in the morning and mentioned the circumstance of the razor to a Bow-street officer who was on duty at the palace. The man's answer was, "God bless me, I am sorry to hear that any such reports should get abroad, for I myself took the razor up unconsciously, and placed it upon the bureau. I was blamed for doing so at the time, and I am sorry that it has produced a false impression."

Mr. *Adeane* said, he was sorry the Committee had been led away from the subject before it, by the consideration of a topic calculated to excite painful feelings in the breast of every man. He should state his opinion, that though publicity was a leading feature in the English law, yet there were exceptions to every rule, and he saw no reason why the existing exception should not continue in existence. An inquest was not a final inquiry, but only a preliminary proceeding.

Mr. *O'Connell* contended, that there ought to be no secresy before a Coroner, for it was a Court of Inquiry, and, like every Court of Justice, that Court ought to be an open one. Publicity was a great corrective of abuse, which otherwise would creep in were Courts kept closed.

Mr. *Portman* supported the clause as proposed by the hon. member for Bridport; but he could never agree with the doctrine which had been advanced, that the Grand Jury Court ought to be an open one. At the same time, he was anxious that all Courts of Justice, save that, should be open; for the greatest possible benefit had occurred from such a course being acted upon in this country.

Mr. *Warburton* said, that the question respecting Grand Juries, which had been introduced, was not properly before the Committee. From the importance of the subject, he certainly should press the clause he had submitted to a division.

Mr. *Cripps* said, he did not wish to have the public excluded from the investigation before the Coroner, but as the Judges had declared the Court to be a close one, and to be opened only at the discretion of the Coroner, he was desirous of having the law in that respect left as it now stood.

Mr. *C. W. Wynn* argued in favour of the principle of open Courts of Justice, but as the Judges of the land had declared that the Coroner's Court was not an open Court, he thought it better that the law of the land should remain as it now stood, leaving the Coroner a discretionary power.

The Committee divided on the Amendment:—Ayes 94; Noes 54—Majority 40.

List of the AYES.

Althorp, Lord
Baring, F. B.
Berkeley, Captain
Brougham, J.
Brougham, W.
Bulwer, H. L.
Burrell, Sir C.
Chichester, A.
Chichester, J. P.
Copeland, Alderman
Creevy, T.
Curteis, H.
Denman, Sir T.
Evans, W. B.
Evans, W.
Evans, Col. De Lacy
Ewart, W.
Fazakerly, J. N.
Fergusson, General
Folkes, Sir W.
French, A.
Gisborne, T.
Gordon, R.
Grattan, J.
Grattan, H.
Guise, Sir W. B.
Handley, F.
Harvey, D. W.
Heneage, G. F.
Heywood, B.
Hodges, T. L.
Horne, Sir W.
Hoskins, K.
Howard, P.
Howick, Lord
Hughes, Hughes
Hume, J.
Hunt, H.
James, W.
Jephson, C. D. O.
Johnstone, Sir J.
Kenyon, C.
King, E B.
Labouchere, H.
Lambert, H.
Lawley, F.
Leigh, T.
Littleton, E.
Loch, J.
Marryatt, J.
Mangles, J.
Mayhew, W.
M'Kenzie, S.
M'Leod, R.
M'Namara, Major R.
Morrison, J.
Mullins, F.
Musgrave, Sir R.
North, F.
Nugent, Lord
O'Connell, D.
O'Connell, M.
O'Conor, Don
Paget, T.
Paine, Sir P.
Pelham, Hon. A.
Penleaze, J. S.
Petit, L. H.
Petre, E.
Ponsonby, Hon. G.
Portman, E. B.
Power, R.
Ramsden, J. C.
Rider, T.
Rooper, J. B.
Russell, Lord J.
Russell, R.
Scott, Sir W.
Sheil, R. L.
Strickland, G.
Stuart, Lord D.
Tennyson, C.
Thicknesse, R.
Thompson, P. B.
Throckmorton, R. G.
Tomes, J.
Townley, R. G.
Tracey, H.
Tyrell, C.
Venables, Alderman
Vernon, Hon. G.
Villiers, H.
Vincent, Sir F.
Walker, A. C.
Warre, J. A.
Wason, R.
Watson, Hon. R.
Webb, Colonel
Wellesley, Hon. W.
Weyland, Major
White, H.
White, S.
Williams, A. W.
Wood, Alderman

TELLER.

Warburton, H.

On the clause being put as amended,

Mr. *Frankland Lewis* expressed a strong feeling of surprise that his Majesty's Ministers had taken no decided part in the discussion of a question of so much importance, and one brought under the consideration of the House at a time when all the institutions of the country were undergoing such extensive and fundamental changes. He really thought it was the duty of the King's Government, possessing as they did, the means of influencing a majority of that House, to protect the country from such violent and sudden changes as those which the Amendment then agreed to had the effect of producing. Neither did he think it was fair that the law officers of the Crown should abstain from delivering an opinion upon a subject of so much importance, and one so intimately connected with the administration of justice. He, and those with whom he was in the habit of acting, looked with the most feverish anxiety towards the progress of events; and regarded changes of that and a similar nature with minds full of apprehension; and they had, therefore, a right to have their votes guided by the authority and judgment of the law officers of the Crown, on a question involving such an important change. The Coroner's Jury was one of the oldest institutions of the country; and he thought, that when the nature and constitution of that institution were invaded, the leader of the Ministerial party in that House—the chief of the Government in that House—should do something more than merely state his own individual opinion; he should assume the responsibility of the measure, or oppose it altogether; for it was one of too much importance to be treated otherwise.

Lord *Althorp* was never more surprised in his life than by the speech of the right hon. Gentleman who had just addressed the House. In the early part of the present discussion he certainly had given an opinion; but he had done so merely in his individual capacity, nor did he feel himself called upon to address the House in any other upon the present occasion. If the right hon. Member desired to know the grounds upon which he (Lord Althorp) supported the proposition of the hon. member for Bridport, he should state them to be, that he had always been of opinion that all Courts of Justice should be open to the public, and, especially, that every proceeding should be open to the public which involved, or which had any tendency to interfere with, the liberty of the subject. After all, it was a mistake to suppose that the present was any great innovation; practically, the Court of the Coroner had always been open, and it surely was not too much to support an Act of Parliament which merely went to declare that to be the law which was in perfect conformity with the acknowledged practice. Some cases had been adverted to, in which it was stated that much difficulty and disadvantage had arisen from the disclosure of the facts; but, in all those cases, the facts had been published, and in every one of them the publication proved advantageous. In fact, experience had fully established the truth, that the evil of admitting strangers to these Courts was much less than the evil of their exclusion. Up to the present time the right of their admission was doubtful, but it was now, for the first time, proposed to place it beyond all doubt, and the proposition had certainly received his support, in his individual capacity, for he thought that no inconvenience of moment would arise from it, and it might be productive of much advantage. All this he thought himself fully at liberty to do, and he knew not upon what authority it would be required of him to make every question of that nature a Government question.

The *Solicitor General* could not deny that he had remained silent during the present discussion, for having been kept away from the House by accident, and coming in towards the latter end of the conversation, he did not feel himself in a situation to do more than to give his vote, which he did without the slightest hesitation, convinced as he had previously been, that in supporting the Amendment he could not go wrong. He never for a moment doubted that the Court of the Coroner should be an open Court. The oath of the Coroner's Jury binds the Juror to no secresy, while that of the Grand Juror does; then the inference which he should draw from that, as a lawyer, was, that the law of England did not authorise a Coroner to exclude the public from his Court; and, as some uncertainty hung about the matter, he could have no objection to a clause in an Act which went to declare that to be the law which, as a lawyer, he had always held to be the law. There was no Court in the country had the right to exclude the public, and why should the Coroner's?

Mr. *Goulburn* said, that it was incumbent on the law officers of the Crown to give their opinion upon the doctrine put forth by the Chancellor of the Exchequer —namely, that all Courts, the proceedings of which tended to take away the liberty of the subject, should be open to the public —a doctrine which he would maintain was contrary to the established practice of the country. He felt himself called upon to complain of the declaration made by the hon. and learned Gentleman opposite (the Solicitor General), respecting the power of the judicial authorities, put forward as it had been at the termination of a Parliament, and near the season of the elections—perhaps with a view to them.

Lord *Althorp* had not used the expressions attributed to him by the right hon. Gentleman. He had not stated that all Courts should be open which had a tendency to take away the liberty of the subject (for that would include the proceedings before Magistrates); but he had said, that, in his opinion, those Courts should be open which had the power to deprive the subject of his liberty.

The *Solicitor General* thought that it would not be decorous for him to take a part in their proceedings, arriving, as he did, at so late a period of the Debate.

Mr. *O'Connell* confessed, that it did appear to him the oddest charge that could possibly be brought against his Majesty's Ministers, that they had left the House to its own unbiassed choice; the present Government, in adopting that course, was certainly not imitating the example of the Government to which the right hon. Gentleman had belonged. By a vote of the Court of King's Bench—it could not be called a legal decision—they had declared their opinion to be, that it would be more convenient to leave the Coroner to himself, as to the expediency of making his Court open or closed upon any particular occasion; but now an Act of Parliament would put an end to that piece of Judge-made law, leading the way to a better state of things.

Sir *Robert Inglis* complained that the Ministers, on a great constitutional question, had suffered the House to come to a decision without favouring the House with their opinions. He complained, too, of the law officers of the Crown not having given an opinion previously. He was surprised at hearing the opinion of the Solicitor General, when every Justice of the Peace could exclude every person from his Court.

Mr. *Frankland Lewis* explained, that he had complained of Ministers sitting and voting, and giving an effective influence on this question, without having stated their reasons for giving that support. If the doctrine of the Solicitor General were carried to the utmost extent, it would get rid of the oath of the Grand Jury, and would make the Grand Jury Court open. What, then, would become of the Court of the Privy Council? Was that also to be an open Court? He wished for time to deliberate on the question further, as it was of great importance.

Lord *Eastnor* thought, from what had passed, that he had voted for what was the law, and was therefore much surprised to hear what had fallen from the Solicitor General.

Mr. *Warburton* was glad to learn, from the Solicitor General, that his Amendment was consistent, not only with general reason, on which ground alone he had defended it, but was also consistent with the old constitutional law. There would be means for hereafter considering the clause, so as to prevent any surprise.

Mr. *Baring* said, he was not aware of any abuse having taken place which called for this change. He was anxious to know whether, if this became law, it would be imperative upon the Coroner to throw open the doors of any house where a catastrophe might occur, and let all the blackguards in the street have entrance?

Mr. *O'Connell* said, that if the hon. Gentleman had been present at the early part of the Debate, he would have heard it fully explained, that it was only necessary for the Coroner and Jury to see the body, but not to hold the inquest in the same house. The Judge of any Court had power to exclude any improper person or persons who might interrupt the proceedings, and the Coroner would have the same power. He did not know what was meant by "all the blackguards in the street," but he would remind the hon. Gentleman, that the Coroner had, at present, power to admit "all the blackguards in the street" to his Court.

Sir *Robert Peel* said, he was sure that by using the terms "all the blackguards in the streets," his hon. friend did not mean to cast an imputation upon those who were in the habit of attending Courts of Justice, but merely that, if the public at large were to be admitted into any house where a sudden death might occur, it would be impossible to exclude persons whose presence might be extremely offensive to the feelings of the survivors. It was true that the inquest might be held elsewhere than in the house where a death took place; but then, as the view of the body was a judicial act, and one which, he conceived, was the most important part of the proceeding, it appeared to him, that if the principle were adopted of admitting the public to the Coroner's Inquest, they would have an equal right to be present at the whole proceedings. He wished to be informed whether such would be the effect of the present measure?

Mr. *Pettit* said, as he understood it, the Jury would view the body for the satisfaction of their own consciences and understanding, at which process it was not necessary that the public should be present, and that they would then retire to the place which was fixed upon for the holding of the inquest, to which the public would have the right of admission.

Mr. *O'Connell* said, it seemed to him that there would be no doubt upon this point. The public would have a right of admission; but the public were only as many as could be conveniently and decently accommodated.

The *Attorney General* said, that the hon. Baronet had pointed out what certainly might be some inconvenience attending on the re-establishment of what he believed to be the ancient law. His opinion was, that the Coroner's Inquest should be perfectly open; that the witnesses should be examined publicly, and all the proceedings take place without any appearance of secresy. He looked upon Coroners' Inquests as a kind of advertisements, calling upon all who could give any information to come forward. It was not to be supposed that the public would be likely to rush into the chamber where a dead body lay, in order to wound the feelings of a family; but, if anything of the kind were likely to occur, the Coroner had power to employ a sufficient force to prevent such a brutal incursion, and to remove the body. He was sure the benefit which would arise from the protection of human life would amply counterbalance any trifling inconveniences which might arise from the measure.

Mr. *John Campbell* said, that for the sake of individuals and the public, it was of the last importance that there should be no appearance of secresy in the proceedings of Coroners' Inquests. The Court of King's Bench had decided that Magistrates sitting at Petty Sessions formed an open Court, and that the public were entitled to admission—blackguards and all.

Mr. *Hunt* expressed his satisfaction at hearing the Attorney General's confirmation of the old law of the country.

Mr. *Freshfield* said, that if Coroners' Inquests were not, by the law as it at present stood, close Courts, abundant opportunities had offered for trying the question, as any party who was removed might have brought an action for the removal. The Judges had twice decided that they were close Courts, and he thought that House ought not hastily to overthrow their decision.

Mr. *Hume* protested against the doctrine that the House was to be bound by the decisions of Judges. It was the duty of the Judges to execute the laws—that House was to make them.

Clause added to the Bill.

On the suggestion of Mr. O'Connell, a clause was added, declaring that the Bill should not extend to Ireland or Scotland.

The House resumed, and the Report was brought up.

BIRTHS REGISTRATION BILL.] Lord Nugent moved the re-committal of this Bill.

Sir *Robert Inglis* had already told the noble Lord that it was impossible he could support the Bill; that he considered it a specimen of that pruriency of legislation which had of late years afflicted this country; that he entertained objections to the Bill in point of principle, and that his objections were not less considerable to its details. He had told his noble friend, that the Bill must either be compulsory or not. If the registration he proposed were compulsory, by what pains or penalties did his hon. friend propose to enforce its provisions? If it were not to be compulsory, then what possible advantage, if advantage it could be called, would result from this legislative enactment, by which those who might possibly have to consult 10,000 registers now, would, by the provisions of this Bill, have to consult 20,000? If this Bill were compulsory, he could understand how some advantages might arise from its adoption, though not by any means sufficient to compensate for the disadvantages that would follow from it; but, if it were not compulsory, then nothing but vexation would result from it to those persons who acted upon its provisions; a great inconvenience and risk to those who relied upon the accuracy of the registries, which might be in some cases made under it, while others, after a laborious research, would have nothing but the burthen of their inquiry for their trouble. If it were not compulsory, it was obvious that it would not be carried fully into effect. If it were left altogether to the discretion of the parent, or person representing the parent, to enter the birth of the child, what evidence would there be that the registry of any certain parish, in any given year, contained all the births which occurred in that parish? And if it did not contain all the births, then the Bill was of no use. As a principle of legislation, the supposed case of grievance ought to be proved before proceeding to legislate for a remedy. Three months ago he had asked his noble friend to state his grievance, and, in the present pressure of public business, the House had a right to expect that it should not be called upon to legislate until the necessity and expediency of legislating at all upon the subject had been fully shown. These were his objections to the principle of the Bill, but almost all the details of it were not less objectionable. His noble friend proposed to invest an order of persons called Parish Clerks with the execution of a great part of this Bill. Every Gentleman then present could decide upon the character of Parish Clerks. He should like to ask any hon. Gentleman what proportion of Parish Clerks could write? According to the information given to him, there was a county not 100 miles from this place, and in the neighbourhood of the noble Lord himself, where two-thirds of the Parish Clerks did not know how to write. But it was a necessary preliminary that the persons whom his noble friend would employ should be able to write as well as read. Again, how did his noble friend propose to remunerate these Parish Clerks? By certain fees for extracts which they might be called upon to make from the registers. He apprehended that this would not apply to more than one in fifty of all the entries which they would be required to make. And how was this registry to be entered? It was to be entered in certain books; and had the noble Lord considered what the mere expense of those books would be, besides the expense of the attendance on the Justice of the Peace every quarter to certify those books? The least charge, for the smallest parish in the kingdom, would be 2*l.* a year; an additional burthen of 20,000*l.* or 30,000*l.* would thus be imposed upon the parishes throughout England, for the performance of a work which was not at all necessary, and which would be perfectly inoperative unless made compulsory; so that, looking at the question in a fiscal point of view, the Bill was very objectionable. The House had not been told what degree of labour was to be imposed on the Justices of the Peace by this Bill. He apprehended that one Justice would have to superintend the Clerks of every ten or twelve parishes—that was to say, rural parishes; of course the argument applied with tenfold force to such parishes as Lambeth, Marylebone, and others of that description. He would ask his noble friend, who was himself a country gentleman, what consolation or recreation he would deem it to be, to have, every morning, the Parish Clerks coming with their books, requiring him to look over the entries of all the Johnsons, and Thomsons, and Williamsons, of the parish? But, if this objection held good with respect to the rural parishes, how much more strongly did it apply to the town population—for the Bill made, it was true, no distinction—and it was the utmost that could be said in favour of it, that it would benefit the different classes of Dissenters: with respect to the members of the Established Church, the births of all their children were necessarily registered in the parish registries, by the entries of their baptisms. If the great object of the Bill were, that it would facilitate the proofs of title to property by Dissenters, he would call the attention of his noble friend to this point: the parish priest registered the birth, because he registered the baptism, of the child; but what, under this Bill, was to hinder any person coming to the Parish Clerk, without any child in his arms, and obtaining the registry of a fictitious person? Even in small parishes this would not be very easily detected, but in large parishes it could not be detected at all. For instance, St. Margaret's, or St. Giles's; let any Member look at the number of births taking place there every day, and then say, whether it was not necessary that there should be some additional evidence beyond what this Bill provided, that a child had been born? The great security for the accuracy of the present registry was, that no entry was therein made until the clergyman had had the child in his arms. It was perfectly clear, without imputing a corrupt motive, that a Parish Clerk might enter a child as born, which might, in fact, never have been born, as there would be no other evidence of the circumstance than the testimony of the party requiring the entry to be made. The facilities to commit fraud, with a view to the descent of property, would be, therefore, very great under this Bill. This, indeed, was a strong argument against it, that while it did not secure a *bona fide* entry of children who were actually born, because there was no compulsion on parties to make such entries, it did facilitate the entries as of children having been born where no such children were born, because the Parish Clerk was empowered and, indeed, required, to make the entry upon the assertion of any person. It behoved the House, therefore, to pause before they sanctioned so ready a means of committing fraud. Then there was the risk incurred by the kind of custody to which these registries were proposed to be intrusted. Every quarter of a year the Parish Clerk was to carry this book to a Justice of the Peace. Under the present system, the register must remain in the custody of the Minister of the parish, and was deposited by him in the iron chest; but, by this Bill, a document which was to have the force of law, and upon which the security of all the property in the country might depend, was to be in the custody of a man who, in many instances, could not himself write, and who, in some of the parishes in the kingdom, had a salary of the lowest nature, not exceeding 5*l.* or 10*l.* a year, and who would be required to give up a portion of his time without remuneration, and would, necessarily, be in many cases too accessible to the commission of fraud. Under these circumstances his noble friend, had not laid down, either when he introduced the measure, or in its intermediate stages, any ground for altering the present law. He had not, by the Bill, avoided any of the evils that might exist under the present system, while he (Sir Robert Inglis) certainly perceived many objections to the Bill, both in principle and detail, which were not to be remedied in Committee. Under these circumstances, he felt bound to move as an Amendment, that the Bill be re-committed this day six months.

Mr. *John Campbell* seconded the Amendment, because he believed that the Bill would not answer its intended object, and he thought there ought to be one bill for the registration of births, deaths, and marriages. A large portion of the people of this country had no registry whatever. This Bill, however, did not go far enough to remedy the evils, and he would recommend the noble Lord to make it more extensive, and then it would be a real blessing to the country.

Mr. *Ruthven* was quite aware that some measure on the subject was requisite, and, though it was much wanted in Ireland, this Bill would not answer the purpose, inasmuch as it imposed a duty on Parish Clerks, which the Clerks of Ireland would be inadequate to perform, and which had hitherto been performed by the clergymen He hoped the noble Lord would keep the subject in mind, but would at present postpone the Bill.

Mr. *Vernon Smith* supported the Bill, but would be glad to see some alterations in it. The Bill was principally intended to benefit the Dissenters, and that it would effect to a considerable degree. He should be sorry to see the Bill rejected altogether because it did not effect all the good possible.

The *Solicitor General* concurred with the hon. member for Stafford, as to the propriety of a general measure for the registration of deaths, births, and marriages, but recommended the withdrawal of the present measure, as it had not been sufficiently considered. If the Bill were postponed, as he was sensible of the great importance of the subject, he would render all the assistance in his power to make it a complete measure.

Mr. *Goulburn* also recommended the withdrawal of the Bill for the present Session. The plan had no pretensions to form an accurate record out of the register, and it would, in some cases, impose great hardships on Justices of the Peace.

Mr. *Crampton* was aware of the difficulties attending this question, but would vote for going into Committee, being deeply impressed with the advantages of a general registration. The registry was bad in England, but it was still worse in Ireland. Many difficulties, however, stood in the way of extending the Bill to Ireland, and it would require much consideration to get over them.

Lord *Nugent* would, in the first place, deny that any labour was thrown on the Magistrates; all the labour would be imposed on their clerks, who would receive 1s. for every such entry; it, therefore, would not be a gratuitous labour. With respect to the objection of the hon. and learned Gentleman, that errors might be made in copying those registers, and that there might, in certain cases, be conflicting evidence, and that even fraudulent entries would be made; if common care were exercised there would be but few errors in copying, and the latter evil would be avoided, as the transcripts were lodged in different places, and under the care of different persons, so that the insertion of a false entry would easily be detected. His hon. friend said, that no sufficient ground had been urged to call for this change, but the numerous cases which had been brought forward of the present registry of births being very imperfect, was, in his opinion, sufficient ground for the change. The present registration only showed that the child was alive at the date of the entry, but it had no reference to the age. He knew of cases in which great inconvenience had arisen, in consequence of this; he would mention one. In a parish a short distance from his residence, a couple went to church to be married, and the clergyman asked the parties whether they had been baptized? The man answered in the negative, and the clergyman refused to perform the marriage ceremony until he had been christened. The man at last submitted, and was baptized and married on the same day. Now it happened that the bridegroom had a younger brother, who had been baptized several years before. After a lapse of time, litigation arose between the descendants of these brothers, as to some property, founded on the dates in the registration; but, after some difficulty, the matter was explained. Now, if the time of registration were taken as a proof of the date of birth, the right of primogeniture might be destroyed. The present mode of registration was hard on the Dissenters, and peculiarly so on the Baptists. Again, the present mode was open to several gross abuses. The House was aware that in the public schools there were numerous exhibitions to Oxford and Cambridge. It was necessary that the young men who were sent on these exhibitions should go before they attained a certain age. Now, parents were often guilty of this abuse, that when they intended to send their children to a public school, they did not get them baptized until they were three or four years old; so that they were younger, according to the register, than they really were; and if they did not pass their examination successfully, they were enabled to have another trial. He was sure his hon. friend would agree with him, that a more abominable desecration of a holy sacrament could not be conceived. He would not then proceed to meet the various objections that had been urged, as that could be done better when the House went into Committee. With reference, however, to a suggestion made by his hon. and learned friend, that he should extend this Bill to marriages and deaths, he would only observe, that he felt the difficulties attending even this partial measure to be so strong, that if he were to combine the other two, he was afraid he should find them to be insuperable. He had no objection to increase the fees to be given to the Magistrates' clerks for the examination of the registers, or for making extracts; and the parties who made application for this purpose would not, he was sure, object, as they generally had some personal advantage in view in these applications. He had no wish to divide the House, as, in point of fact, it would lead to an adjournment; he would, therefore, consent to postpone the Committee on this Bill.

Further consideration deferred.

HOUSE OF LORDS,

Thursday, June 21, 1832.

MINUTES.] Papers ordered. On the Motion of the Bishop of EXETER, Copies of the Titles of all Books or Tracts edited, printed, or supplied for the use of Schools, by authority of the Board of Education in Ireland:—also, Lists of all Books or Tracts employed in any Schools, whether in the combined Moral and Literary Instruction, or in the separate Religious Instruction, with the sanction or approbation of the Board, or any Member or Members of the same.

Petitions presented. By the Marquess of ORMONDE, from Donagheavey; and by the Marquess of SLIGO, from Fiddown,—against Tithes.—By the Earl of HARROWBY, from Bursley, against the Beer Act.—By the Earl of RADNOR, from Axbridge;—by Viscount GODERICH, from Selby and Dudley;—and by the Earl of RODEN, from six Places in England and Ireland, for a Revision of the Criminal Code.—By the Marquess of SLIGO, from Mayo and Tuam, in favour of the Ministerial Plan of Education (Ireland);—and by the Earl of RODEN, from the Presbytery of Irvine, and other Places, against that Plan.

STATE OF IRELAND.] The *Lord Chancellor* rose for the purpose of making an appeal to the noble Earl (Roden) who had given notice of a motion for to-morrow night, on the state of Ireland, and with the hope of being able to induce the noble Earl to postpone his motion for a few days, until his noble friend (Lord Plunkett) who filled the high office of Lord Chancellor for Ireland, should be in his place. In the debates which had recently taken place in that House on Irish questions, the conduct of his noble and learned friend formed a considerable portion of the debate, and he doubted not the same thing would occur whenever the noble Earl brought forward his motion. The indispensable duties of his office rendered it impossible for his noble and learned friend to leave Dublin before Wednesday next; and, under those circumstances, he hoped the noble Earl would consent to postpone his motion. The noble Earl might meet this appeal by saying, that he had no intention of impeaching the conduct of the Lord Chancellor of Ireland; but that would give no security that other noble Lords, who took part in the debate, would refrain from doing so; and therefore, as a matter of justice to his noble and learned friend, he hoped the motion would be postponed.

The Earl of *Roden* felt himself placed in a position of some difficulty, by the request now made. He had given notice of the motion he was now asked to postpone, a fortnight since; and when another postponement was urged, he begged noble Lords to recollect the calamitous state in which Ireland was now placed. Evils of a paramount nature now presented themselves; assassinations were not unfrequent; and a large portion of the people were in such a state of lawlessness and confusion, that no time ought to be lost. As to the absence of the Lord Chancellor of Ireland, he did not think it very material;—the Home Secretary was responsible for, and ought to be acquainted with the state of Ireland; and as the Home Secretary was in town, he thought it rather too much to ask him to postpone his motion, when Ireland was in a greater state of misery than it had ever before been. He should be glad to accede to any request put to him so courteously, but he did not know how he could justify himself in the eyes of the Protestants of Ireland, and of its loyal inhabitants, who were suffering under dangers and miseries, which, they conceived, a little determination and firmness on the part of the Government, might have prevented, if he consented to postpone his motion upon such grounds. He did not know that the motion he was about to submit, which was an Address to his Majesty on the state of Ireland, involved, in any degree, the personal conduct or character of the Lord Chancellor of that country, and he believed he should be able to show the House, from documents, that not a moment was to be lost.

Viscount *Melbourne* said, it certainly was his duty, and he was prepared to give such explanations as were required, touching the state of Ireland. There were many subjects, however, connected with that country, which came peculiarly under the consideration of the Lord Chancellor of Ireland; all questions, for instance, relating to the Commission of the Peace: and it was impossible that he could be so intimately acquainted with those matters as his noble and learned friend (Lord Plunket) was. The noble Earl (Roden) said, he only meant to move a simple Address, but every one knew that such an Address implied a distrust of the Government. Under all the circumstances, and as the Lord Chancellor for Ireland was so soon expected, he put it to the candour and fairness of the noble Earl, whether it would not be more satisfactory to postpone the Motion until after his noble friend's arrival from Ireland, and whether such a course would not be more for the public welfare, as well as more consistent with the honour and dignity of that House?

The Earl of *Roden* certainly could not consent to withdraw his Motion after what had just fallen from the noble Viscount (Melbourne), who insinuated that he (Lord Roden) wished to take advantage of the absence of the Lord Chancellor of Ireland to bring on his motion. The Lord Chancellor of Ireland had a fortnight's notice of the Motion, and if he was not able to attend now, he might find many other occasions for declaring his sentiments.

Viscount *Melbourne* said, the noble Earl was altogether mistaken, in supposing that he had imputed to him a wish to take advantage of the absence of the noble and learned Lord. He (Lord Melbourne) had stated the very reverse; so that that could form no ground for the noble Earl's pressing his Motion. The noble Earl was mistaken, if he supposed that the wish not to have the subject discussed in the absence of the noble and learned Lord, arose from any desire on the part of Government, to share any part of their responsibility as to the general measures relating to Ireland. The Government were ready to undertake the whole responsibility of those measures, but, he repeated, there were local matters which the noble and learned Lord, from his station in Ireland, was more competent to explain.

The *Lord Chancellor* said, that seeing the way in which the noble Earl took every thing that was said, he should not certainly repeat his request; but he had asked for the postponement of the Motion in justice to his noble and learned friend (Lord Plunkett), who was unavoidably detained by his judicial duties. His Majesty's Government did not shrink from the responsibility of meeting the noble Earl's Motion, nor did they wish to divide on it, and the noble Earl was utterly mistaken if he conceived that they had any such wish.

Lord *Ellenborough* said, that as his noble friend's (Lord Roden) Motion did not involve any personal charge against the Lord Chancellor of Ireland, but was merely in reference to the afflicting state of that country, he could not see that the Lord Chancellor of Ireland's absence was a ground for calling on his noble friend to postpone his Motion. From what had fallen from the noble Viscount (Melbourne) it appeared to him, that his Majesty's Government felt that the state of Ireland was such that it could not bear discussion. He hoped that this consideration would induce noble Lords, whenever they came to the discussion, to address themselves to the subject with the greatest calmness and moderation. The Lord Chancellor of Ireland had not much to do with the state of that country, and, as the government had always hitherto been conducted, the Home Secretary was responsible. The presence of the Lord Chancellor for Ireland, therefore, was not necessary; but if the noble Viscount (Melbourne) would say that he considered the discussion of his noble friend's (Lord Roden) motion would be detrimental to the public service, he should certainly entreat his noble friend to postpone it.

Earl *Grey* thought it useless to prolong a discussion which was not likely to lead to any very satisfactory conclusion. It was right, however, to state, that it was not until yesterday, his noble friend (Lord Melbourne) had known that the Lord Chancellor of Ireland would not be able to attend to-morrow night. It was quite true, as had been stated by the noble Baron (Ellenborough), that the Home Secretary was generally responsible for the state of Ireland, and that it was his duty to answer all questions concerning that country. But charges had frequently been made against the present Government, of omitting the names of certain Magistrates, and removing others, and in those charges the Lord Chancellor of Ireland was particularly concerned. In fact, those charges formed a considerable part of every recent discussion on the state of Ireland; and he was not sanguine enough to expect that such topics could be excluded from the discussion which would probably arise on the noble Earl's Motion. He could not sit down without emphatically declaring, that he had heard nothing fall from his noble friend (Lord Melbourne) which could justify the interpretation of the noble Baron (Ellenborough), that the Government was afraid of a discussion on the state of Ireland, or that the state of that country was such as would not bear discussion. His Majesty's Ministers did not apprehend any danger from discussion. The situation of Ireland, he admitted, was dangerous, but the danger was not increasing in such a way as to make his Majesty's Ministers apprehensive of the effect of discussion in that House. Indeed, he had the pleasure of being able to state, that on some late occasions the power of the law had been exercised in Ireland with complete effect; and he trusted that great benefit would result from its successful operation.

The Earl of *Roden* felt himself placed in a very painful situation; but, after the fair and candid manner in which the subject was placed by the noble Earl (Grey), he felt himself bound to yield to his suggestions, though he thought the postponement of his Motion would produce some evil.

Motion postponed.

HOUSE OF COMMONS,

Thursday, June 21, 1832.

Minutes.] Petitions presented. By Mr. Ewart, from Liverpool, for an efficient Reform to Ireland. On the Motion for printing this Petition, Mr. Gisborne moved that the House be counted, when, forty Members not being present, it was adjourned.

HOUSE OF LORDS,

Friday, June 22, 1832.

Minutes.] Papers ordered. On the Motion of the Bishop of Exeter, a Copy of the Regulations or Conditions on which the Board of Education in Ireland grants its aid to Schools.—On the Motion of Lord Bexley, an Account of all the Sums granted by the New Board of Education (Ireland).

Bills. Read a third time:—King's County Assizes; Contempts in Equity.

Petitions presented. By the Earl of Radnor, from Kilcoman and Robin, for an equal and efficient Reform for Ireland; and from the same Places, in favour of the Ministerial Plan of Education (Ireland); and by the Earl of Roden, from Arva, and two other Places, against that Plan.—By the Earl of Radnor, from Kilbrogan and Ballymordan;—by Lord King, from five Places in Ireland;—and by the Duke of Leinster, from Kilcock and Cloncurry,—against Tithes.—By the Earl of Roden, from Longford,—for a Repeal of the Roman Catholic Relief Act.

HOUSE OF COMMONS,
Friday, June 22, 1832.

MINUTES.] Papers ordered. On the Motion of Mr. BALDWIN, an Account of the Quantity of Olive Oil imported into the United Kingdom for Home Consumption, with the Duty paid thereon, from the 1st of January, 1832, up to the latest period the same can be made up.—On the Motion of Mr. BURGE, a Copy of the Report of a Committee of the House of Assembly of Jamaica, appointed to inquire into the cause of, and injury sustained by, the recent Rebellion in that Colony, together with the Examinations on Oath, Confessions, and other Documents annexed to that Report.—On the Motion of Mr. EWART, a Copy of the Report of the Commissioners appointed to inquire into the Practice of the Court of Common Pleas at Lancaster.—On the Motion of Mr. HUNT, a Copy of all the Letters addressed by the Right Honourable the Secretary of State for the Colonies, in reply to Governor Darling's Despatches, relative to the Punishment and Death of Private Joseph Studds, late of his Majesty's 57th Regiment, dated 4th and 12th December, 1826, and 20th April, and 28th May, 1829:—also, of any Opinions delivered by his Majesty's Attorney or Solicitor General, on the Charges preferred by Mr. Wentworth, in his Letter of Impeachment against Governor Darling, for the Murder of the said Joseph Studds, addressed to the Secretary of State for the Colonies, on 1st March, 1829; also, the portions of Mr. Wentworth's said Letter of Impeachment omitted in the Returns laid upon the Table on 1st July, 1830.—On the Motion of Mr. JAMES E. GORDON, Account of the Applications for Schools made to the Board of Education, Dublin.

Bills. Read a first time:—Punishment of Death for Forgery Abolition; Tithes Prescription; Additional Churches.—Read a second time:—Representative Peers (Scotland); Customs' Duties; Roman Catholic Charities; Linen Manufactures (Ireland); Valuation of Lands (Ireland).

Petitions presented. By Mr. EWART, from Liverpool;—and by Mr. JOHN BROWN, from Balinrobe,—in favour of the Ministerial Plan of Education (Ireland).—By Mr. ANDREW JOHNSTON, from Edinburgh,—against that Plan.—By Mr. EWART, from Dungannon, and from Leighlin Bridge, for a Revision of the Criminal Code, and against the Punishment of Death.—By Mr. JOHN BROWNE, from various Places in Ireland, against the Duty on Window Glass; and from Westport, against Illicit Distillation.

COUNTING OUT THE HOUSE.] Mr. *Andrew Johnston* on presenting a Petition from Edinburgh, against the Ministerial Plan of Education (Ireland), expressed his regret that the subject had been put off last night by the extraordinary and unlooked for adjournment which took place at so early a period of the evening.

Mr. *Sinclair* said, he also could not forbear from expressing his regret and disapprobation of the manner in which the proceedings of the House had been brought to a close yesterday, and Gentlemen prevented from bringing forward important public business.

Mr. *James E. Gordon* said, he should not now make any observation upon the petition, as he should take the earliest possible opportunity of bringing forward the subject to which it related—a course in which he felt perfectly warranted, in consequence of the unprecedented trick (for he could call it nothing else) which had been practised yesterday. It was never expected that Gentlemen should continue to occupy their seats on those benches while private bills and petitions were presented; and to take such an opportunity of defeating the motions of which Members had given notice was so opposite to the feeling of courtesy which ought to regulate the proceedings of all the Members, that he could not help expressing his indignation at it.

Mr. *Gisborne* said, that the tone in which the hon. Member had thought proper to animadvert upon the course which he had pursued yesterday, should not prevent him from acknowledging that, upon further reflection, he felt that his proceeding had been in some degree ill advised. He regretted that he had put any Gentleman to personal inconvenience. The point did not strike him at the moment, and, in fact, the whole operation was almost instantaneous in his own mind. He thought it right to state, unequivocally, that what he had done was done wholly upon his own suggestion. No one had said a syllable to him on the subject, nor had he communicated with a single person, except at the very instant when he made his motion. It might be better that he should not trust himself to say more than he had said, in deference to what had fallen from those hon. Gentlemen who had spoken. He confessed that he had not acted as cautiously as he might have done, but, at the same time, he might venture to say, that the general course of his conduct was not such as to entitle Gentlemen to use such language as had been applied to him; and if there was any one who more than another should abstain from such language, it was the very Gentleman who had taken that opportunity of employing it. The circumstance, however, would be a warning to him in his future conduct not to act upon a hasty feeling.

Mr. *James E. Gordon* said, that after what had fallen from the hon. Member, he could not hesitate to acknowledge, that he had spoken under considerable warmth of feeling, for which the hon. Member would admit he had some reason. He retracted in the fullest manner every word which might have offended the feelings of the hon. Gentleman.

FORGERY.] Mr. Andrew Johnston presented a Petition from Kildare, praying for an Amelioration of the Criminal Code.

Mr. *Lennard* supported the prayer of the petition. As an instance of the pernicious effects of the present law, he would mention the case of a banker upon whom a forgery had been recently committed, and who, rather than prosecute the guilty person, on account of the severity of the punishment, had suffered him to escape on paying 500*l.* to the Suffolk Hospital. It was absolutely necessary that some alteration should be made in the law, and he much regretted the accident which had prevented his hon. and learned friend from bringing forward his Bill yesterday. He hoped, however, that the Session would not pass without some amendment being made in the law.

BREACH OF PRIVILEGE — CASE OF "THE TIMES."] Mr. *O'Connell* begged to take that opportunity of calling the attention of the House to a breach of its privileges, to which he had before alluded. He had but a very few words to say upon it, which would cause no delay of business. He had complained to the House, two days ago, of a breach of privilege, in the publication, by *The Times* newspaper, of a matter which had not yet been uttered in that House. The Speaker had been pleased to ask him, from the Chair, whether he was disposed to bring forward any motion upon the subject. If he believed the Breach of Privilege to have been wilfully and intentionally committed, the right hon. Gentleman seemed to intimate that he ought not, from his own feelings, to abstain from following up the matter, and bringing it under the notice of the House. He had, in consequence, felt it his duty to make inquiry since, and he had ascertained that the persons concerned in the management of the paper were not at all to blame for the insertion of the report. So far as the conductors of the paper were concerned, not the smallest blame attached to them; and, although they were legally responsible, they had not personally been guilty of neglect. He had seen the person who reported his speech. He had waited upon him (Mr. O'Connell), and most satisfactorily explained the matter, in such a way that he could venture to pledge himself to the House that no intentional disrespect to the House had been meant, and that the mistake had arisen from the manner in which the reporters were circumstanced in the gallery, and from their quitting the gallery at particular periods. He was fully satisfied, therefore, that what had occurred arose from no disregard to him, and still less from any disrespect to the House; and he should comply with the intimation of the right hon. Gentleman in the Chair, and not pursue the matter further. He repeated, that he was convinced no blame was attributable to the Editors, and that the person who was in fault had no intention whatever of showing any disrespect to the House.

BREACH OF PRIVILEGE — CASE OF "THE MORNING CHRONICLE."] Sir *Henry Parnell* begged to call the attention of the House to a paragraph in *The Morning Chronicle* of yesterday, which said 'we 'understand that the general impression 'in the Committee sitting to investigate 'into the causes of the disturbances in the 'Queen's County is, that they have originated in the most abominable exactions of 'the gentry, which has led to a state of 'suffering on the part of the poor which 'would hardly be believed.' The Committee, considering this statement to be altogether unfounded, and wishing to prevent the impressions which such an imputation must of necessity make if uncontradicted, had come to a resolution, by which they declared that the statement in *The Morning Chronicle* of yesterday was a gross misrepresentation of facts relating to the conduct of the gentlemen of the Queen's County, and they had requested that he, as Chairman of the Committee, would communicate their resolution to the House, contradicting in the most decided manner the allegation contained in that paper. He could for himself undertake to say, that the evidence before the Committee did not at all bear out the statement which had appeared, and, having done his duty by communicating the resolution to the House, as he had been called upon to do by the Committee, he did not feel it necessary to say any thing more, or to take any steps on the subject.

Sir *Robert Inglis* said, it was not usual to notice reports of what passed within those walls, or in Committees, unless the House was prepared to give its own authority to that reference, by calling the party to the bar of the House. Whether it was right or wrong to notice those irregularities he did not take upon him to say, but he felt that the notice which had been taken of this subject, in so formal a way, by the right hon. Baronet, and the Committee of which he was Chairman, was either too much or too little. It was too much unless the House was prepared to confirm it, and it was too little, as it appeared to him, in reference to the offence which had been committed. He would, therefore, urge upon the right hon. Baronet the propriety of reconsidering the matter, and of moving that the printer of the paper in which the obnoxious paragraph appeared should be called to the bar of the House. He thought the House would not consult its own dignity if it suffered such a publication to pass without inquiry.

Sir *Henry Parnell* said, that the matter to which he referred was one in which the House was not at all concerned. It was a charge against the gentlemen of the Queen's County, which the Committee, as he had said, thinking unfounded, and wishing that no improper impression should be produced, had directed him, as the Chairman, which, he conceived, was the most proper way of proceeding, that he should communicate their opinion to the House with respect to the paragraph. He, therefore, did not feel called upon to adopt the course recommended to him by the hon. Baronet.

Mr. *Briscoe* hoped that this conversation would not be prolonged. He was waiting to present a petition, and he appealed to the Speaker, whether it was not hard that the time of the House should be consumed in irregular discussions.

The *Speaker* as he was appealed to, must say, that there was nothing irregular in the communication made by the right hon. Baronet. Questions of Privilege took precedence of all other business.

Prison Discipline — Nottingham Gaol.] Mr. *Hunt* said, he rose to present a Petition from Nottingham and its vicinity, signed by 3,000 or 4,000 persons, complaining of the conduct of the visiting Magistrates and the Gaolers. It might be recollected that in the early part of the Session a petition from Edinburgh, intended for the House of Commons, was presented and discussed in the House of Lords; and it might not, therefore, excite any surprise that a similar mistake had taken place with regard to the petition he then held in his hand. A discussion had actually already taken place in the House of Lords, between Lord Middleton and Viscount Melbourne, as to the propriety of his presenting the petition, which he had yet to lay upon the Table of the House, and it seemed most extraordinary that those noble Lords could have discussed the propriety of his conduct, when what they discussed had never happened. This showed that the House of Lords had not very accurate notions of what passed in the House of Commons. The petition was of a very extraordinary character; it had been in town a considerable time, and had been in the hands of other hon. Members, and amongst them the hon. and learned member for Kerry. He cast not the slightest imputation upon that hon. Gentleman for declining to present the petition, because he had never been in gaol, as he (Mr. Hunt) had been, and it was impossible for any man who had not witnessed the cruelties which were practised in gaols to believe these complaints. He knew how very unpopular it was to make complaints on behalf of the poor against the rich. He knew that little attention was paid to such subjects, or that so much attention was paid, that coughing took place, and noises were made by hon. Members, for the purpose of drowning complaints against their fellow Magistrates. He would read to the House an account of the tortures inflicted upon one prisoner. A man, of the name of Cutts was apprehended under a charge of setting fire to Nottingham Castle, on the information of a person of the name of Chalk, who had been tried for felony, who declared that Cutts had told him how he set fire to the Castle. The prisoner was informed, that if he did not confess, he should be committed to prison. He was sent to Gaol accordingly, and placed in a private room, separate from the other prisoners. He was kept there from Saturday to Friday, and during the greater part of that time, namely, for five days, the Gaoler, under various frivolous pretexts, neglected to give him water. The Assistant Turnkey also refused to give him water, saying, first, that there was no vessel allowed; second, that the prison was not a place of accommodation; third, that he would not give it without orders; fourth, that if he confessed, he should have water, and every thing else—that he would get half of the 500*l.* reward for turning King's evidence; and on the fifth day the man was compelled to drink his own urine. This was surely horrible. When it was ascertained that he had been compelled to do so, they then gave him water. This was the statement of the prisoner. On the sixth day he was placed in the yard, and was subsequently liberated without a trial, after having been imprisoned from the 19th of November to the 30th of January. He had reason to believe that the man was innocent who had been thus treated—locked up in a solitary dungeon, and deprived of water unless he would confess a crime of which he was not guilty. This statement appeared to the hon. member for Kerry so improbable, that he declined to present the petition, unless the persons who brought it would confirm it by an affidavit. The party returned to Nottingham, and affidavits of Cutts and others were prepared, and taken before the Magistrates to be sworn to the truth of the allegations, but the Magistrates of Nottingham refused to allow them to be sworn. Perhaps they were justified in this refusal, but it showed the situation in which the petitioners were placed. They could not lay their case before the House without affidavits, and when they went before the Magistrates, the Magistrates refused to let them be sworn. He might have doubted these statements, like the hon. member for Kerry, if he had not witnessed transactions equally cruel and disgraceful to the persons engaged in them; but, having witnessed similar atrocities, and having proved before a Commission which was sent down to Ilchester, that men had been fettered and chained to the ground for twelve days and twelve nights—that they were taken before the visiting Magistrates, who were clergymen, and again sent back to gaol; having proved this by uncontradicted evidence, including the testimony of the turnkey who fastened their chains—having proved that for not pleasing a Gaoler, a man had been placed in a strait-waistcoat, and chained down to an iron bedstead, his head shaven, and blisters applied to it—having proved also, that a woman, with a child at her breast, was left without water, except some which was frozen in a bucket, and which she could not get at; that she was left in that state for several days, until her milk failed, and her child was likely to be starved—having proved all these things, he more readily believed the statements of this petition, signed by 3,000 or 4,000 persons. Such treatment would have disgraced the Inquisition or the Star Chamber, and there were several cases similar to that which he had stated to the House. If tortures were to be inflicted in gaols, he hoped, at least, it would not be upon innocent persons.

Mr. *Evelyn Denison* said, it was true this petition had been long in the hands of some hon. Members, and also that it had been discussed in the House of Lords, owing to mistake. He could not have any objection to the presentation of the petition by the hon. Gentleman, but he felt that a Member of that House was bound to exercise a discretion as to the presentation of petitions; and, when many hon. Members had declined to present this petition, from conceiving the charges it contained to be very improbable, he thought it required some consideration and caution before any one should be the means of disseminating such charges. Every probability was against the truth of these allegations. Independently of the fact that the character of the gentlemen against whom the charges were made, rendered the whole thing improbable, he must add, that the Corporation of Nottingham, who were by no means adverse to the liberty of the subject, had set their faces against the statements, and also, that the public Press of Nottingham, which likewise was not adverse to the cause of freedom, had disclaimed in any way sanctioning these allegations. But, in addition to these facts, as regarded the probabilities, he held in his hand a statement which, he believed, would be found convincing on the subject. It was a letter from the Solicitor of the very prisoners themselves, who had been engaged on their trial, and who was an able and honourable man. The noble Lord at the head of the Home Department had thought it proper to write to Nottingham, to inquire what grounds there were for the charges, and he held in his hand the answer volunteered by the Solicitor for the prisoners. That gentleman (Mr. Payne) said, that the prisoners had not made complaints to him of any circumstances which would justify the charges referred to; that he had thought it his duty, as their Attorney, to inquire whether the allegations were correct, or whether they had any complaints to make; and that they, one and all, answered by declaring, that they did not know of any mysterious events having happened in the prison; that there had never been any threats held out to them, nor privations inflicted, to extort a confession from them; that, on the contrary, they expressed in a very feeling manner their grateful and sincere thanks for the humane kindness they had experienced. The writer remarked that it was singular, if any ground of complaint existed, that he, as the Attorney for the prisoners, and in constant communication with them, and their friends; for nearly a month, should not have been informed of it. That letter then went on to refute several minor points of the charges, and stated, that the writer had never found the slightest difficulty in holding communications with the prisoners. If the House thought that such a case was made out against the Magistrates as called for a public inquiry, he would be the very first to second any motion to that effect; but, to print the petition, would evince some such imputation upon the conduct of honourable men without there being any previous grounds for even any suspicion against them; and, though he should not, therefore, object to the petition being brought up, he should decidedly object to its being printed.

The *Attorney General* said, that the Magistrates of the town, conceiving this to be a matter entirely for county jurisdiction, would not interfere in it; and he thought their example was one very fitting to be followed by the House, as the charges were altogether improbable. When Mr. Payne, who was in daily communication with the prisoners, said that the charges were untrue, how could the petitioners, who had no such communication with them, and who only said they believed them to be true, be relied on? Generally speaking, the fact of numbers agreeing in a petition was some evidence of its being well-founded; but here the reverse was the case. This petition he believed to be the work of very few hands —of men who were, perhaps, too ready to exaggerate, and who would take pains to impress their ideas upon parties who had no adequate means of judging. Under every circumstance, he must say, that this petition did not come before the House so as to entitle it to get increased publicity; and, in addition to other parts of this case, it was to be particularly remarked, that not one of those alleged sufferers had signed the petition, but the House was asked to take everything for granted on the belief of the petitioners.

Mr. *Lamb* observed, that the hon. member for Preston's statement was very lengthy, although most of his materials had been brought from Ilchester. For himself he could say, that with respect to this petition, he was not aware of the facts it alleged, until he had heard them stated by the hon. Member. It would, he conceived, have been of great advantage, if the petitioners, or the hon. Gentleman, before presenting the petition, had acquainted the Home Office with the particular statements which were to be made, as then information could be obtained, and inquiry instituted, although he must, at the same time, express his belief that there never had been charges made which were more unfounded than those in this petition. Why did he say so?—because the allegations of the former petitions had been contradicted, not by the visiting Magistrates or by the Gaoler, but by the active agent of the alleged sufferers. He must also say, that the inquiry made on that occasion had left no impression but one highly favourable to the Magistrates. Something more than this acknowledgement was due to Magistrates who, like those of Nottingham, had to discharge their duty in disturbed parts of the country; for to them the country was indebted, not only for activity and diligence, but for the humanity with which they had conducted themselves. He had no objection to the bringing up of the petition, or to making an inquiry into the truth of its charges, but he should certainly oppose its being printed.

Sir *Edward Sugden* said, that he should not have had any objection to presenting this petition if it were meant merely as a means for the procuring of an inquiry. As it had been presented, and such charges made, he thought it impossible that things could remain as they were. If it were true that affidavits had been presented and were refused, the Home Office ought to make inquiry, and as the hon. Under-Secretary for that department had expressed his willingness to investigate the subject, he would not give his consent that the petition should be presented. If, as he believed, those imputations would, on inquiry, be found to be totally groundless, they should be exposed to the country, and justice should be done to the Magistrates of Nottingham.

Mr. *O'Connell* said, that as allusion had been made to him, and as it had been said that he refused to present this petition, he hoped that the House would permit him to make a few observations on this occasion. This petition certainly was brought to him for presentation, and he must say that he was surprised at the circumstance, seeing that he was not at all connected with that part of the country; and, moreover, seeing that the town of Nottingham was represented by two popular Members in that House—seeing, in fact, that it could not be more efficiently represented than it was at present. He stated to the individual who brought the petition in question, that he was ready to bring forward the complaints of any persons, from any part of the empire, who would do him the honour of intrusting him with the task of laying them before that House, provided he found that there were reasonable grounds for such complaints. He further stated to him, that he would keep the petition by him for two days; and he intimated to him also, that at the time he (Mr. O'Connell) entertained great doubts that such cruelties as were specified in the petition had ever been committed. He added, however, that he would not shrink from presenting the petition, if he were satisfied that the county Members would not present it, and if any reasonable evidence were produced to show that the complaints contained in it were well founded. The individual to whom he had alluded then said, that he would lay before him such evidence, and that he would produce affidavits confirming the allegations contained in the petition. His (Mr. O'Connell's) reply was, that if he produced but one affidavit from any respectable and trustworthy person, confirming the allegations contained in the petition, he would not only present the petition to the House, but he would move for an inquiry on the subject. He (Mr. O'Connell) in the mean time thought it but right to communicate the circumstance of this petition having been offered to him, to one of the hon. members for Nottingham (delicacy prevented him from communicating with the other hon. Member on the subject, as he was officially connected with the Government), and also to the county Members; he further told them, that affidavits were to be brought to him, confirmatory of the allegations contained in the petition, and he pledged himself to them not to present it until such affidavits should be produced to him. Finding that no such affidavits were brought to him, and having pledged himself, as he had just stated, not to present the petition without their production, he thought that he ought not to proceed further in the matter. It was true, that it was since stated, that the Magistrates of the town of Nottingham refused to swear such affidavits when offered to them. But he was pledged not to present the petition without the production of such affidavits, and there were the county Magistrates before whom they might have been sworn. Besides, if the individual who had engaged to produce the affidavits in question, had, on the Magistrates refusing to take them, consulted him, or any attorney on the subject, he would have been informed that there would be no difficulty whatever in making an affidavit on the subject, before a Commissioner of the King's Bench in the country, as it was a matter into which the King's Bench had the power to inquire. But no affidavits were brought to him on the subject, and, as it appeared to him, no reasonable excuse was offered for their non-production. A respectable individual had, indeed, since written to him, stating that the allegations in the petition were true, but did not go further. At the same time, that statement justified him in hoping that something would be done with regard to this petition, and that an inquiry would be instituted into the matter.

Mr. *Saville Lumley* said, he had known most of the Magistracy of Nottingham from his youth, and had been educated with several of them; he averred upon his personal knowledge of them, that they were the last men in England to be guilty of such conduct as was imputed to them.

Sir *Ronald Ferguson* said, he believed that it was an untruth that the county Members had refused to present the petition. Some of the prisoners to whom it referred had been asked on board the hulks, whether they had any complaints to make against the Magistracy, and they avowed they had none.

Petition to lie on the Table.

Mr. *Hunt* said, that he would not at present move that the petition should be printed, as he relied on the statement of the Under-Secretary for the Home Department, that an inquiry would be instituted into this matter. If, however, such an inquiry should not be made, he would himself move for a public investigation on the subject.

Mr. *Evelyn Denison* said, that a most satisfactory investigation had already taken place on the subject, and that it was on that account he had spoken in the decided manner he did with regard to it.

REPORTS OF THE PROCEEDINGS IN PARLIAMENT.] Mr. *Dawson* wished to correct a misrepresentation which had been put forth in *The Times* newspaper. He was there represented to have applied the term "shameful" to the reports contained in *Hansard's Parliamentary Debates*, which was so far from being the case, that he at the time gave the highest degree of credit to *Hansard's Debates* for fidelity.

He had found fault with *The Times* and other newspapers for reporting debates in the manner they were done, and he had contrasted them with *Hansard's;* he, therefore, took that opportunity of saying, that *The Times* had made an unfounded statement of his observations on *Hansard,* who, he must repeat, deserved great credit for the manner in which the debates were reported in his work.

DIVISION OF COUNTIES AND BOUNDARIES OF BOROUGHS.] Order of the Day for the third reading of the Boundaries, &c. Bill read.

Mr. *Moreton* moved, in conformity to previous notice, that an Amendment be made in that clause of the Bill which related to the appointment of a polling place for the western division of the county of Gloucester. The place selected (Thornbury) was not only an insignificant, but an inconvenient situation for the voters in that division; the Severn passed through the county, and the great majority of the electors would have to cross that river to reach the place. Originally, Wootton-under-Edge was the place fixed upon, but it had been altered at the suggestion of the noble Lord, the member for Monmouthshire, when he was not in the House. He wished to have the Bill restored to its former state; and he therefore moved, that the town of Wootton-under-Edge be inserted in place of Thornbury, for the purpose of polling the electors.

Captain *Berkeley* seconded the Amendment. Thornbury was, in all respects, an inconvenient place. It was difficult of access; the passage across the Severn, near Thornbury, was difficult and dangerous, and he wondered at the noble Lord exposing the freeholders to this danger, particularly as many of them were his father's tenants. The accommodation, too, at Thornbury was quite inadequate. At Wootton-under-Edge the accommodation was very good; it was easy of access, and was in all respects the most convenient place.

Lord *Granville Somerset* opposed the Amendment. That the hon. Member was not in his place when he proposed to substitute Thornbury for Wootton-under-Edge, was the hon. Member's fault. He made that proposal to accommodate the freemen of the western division of Gloucester, and had no personal motives whatever for recommending the change. The Ministers assented to his motion because they thought it reasonable. He was still convinced that it was the best place. With respect to the ferries across the river, they were good, and it appeared from the Post Office returns, that of 262 mails, 114 had passed over in less than thirty minutes. With respect to the accommodation at Thornbury, it was better than that at Wootton-under-Edge, and the town had more people. Wootton was a manufacturing town, and therefore, unfit as the place of nomination for an agricultural district.

Mr. *Henry Howard* believed, that Thornbury was the more convenient place of the two for the electors to resort to on those occasions.

Sir *William Guise* thought that Thornbury was quite an improper place to hold the nomination at. At Wootton-under-Edge there was a good Town Hall, and other necessary accommodation, which was not to be found at Thornbury.

Lord *John Russell* should vote for Thornbury, as he had done in a previous stage of the Bill. The arguments which the noble Lord had adduced on a former occasion seemed quite satisfactory to him, and he should abide by the former decision.

The House divided on the Amendment: —Ayes 54; Noes 83—Majority 29.

Sir *Robert Peel* moved, that the poll for the southern division of Staffordshire be taken at the ancient city of Lichfield, in lieu of Walsall, as more convenient to the voters for that part of Staffordshire.

Lord *John Russell* expressed his willingness to agree to the proposed alteration.

Several verbal Amendments were agreed to.

Mr. *Blamire* rose to move an Amendment relative to the boundaries of the town of Whitehaven. As those boundaries were proposed to be fixed by the present Bill, there were certain rural districts which were to be thrown into the borough of Whitehaven, but which would only add thirty members to the constituency of that borough. It appeared, from the Report of the Commissioners, that there were 500 voters for the borough, and the number, therefore, to be added by the rural districts would be very small, while the lands which formed these districts were all the property of a noble Earl, and might, therefore, at a subsequent period, be made the means of giving him an overwhelming influence in the borough. He should recommend to the House, that the boundaries of the borough should be confined to those limits which were described in the local Acts of Parliament relative to that place. He called the attention of the Government to this subject, as there were reports abroad in the town of Whitehaven, that this scheme of the boundary of the borough was the result of a compromise with the other side, and that the borough had been thrown over as a sop to that party. He felt himself called on to make this Motion, in order to satisfy his constituents, and he thought the noble Lord would not regret the opportunity thus afforded him of explaining a matter which was thus subject, he was sure, to be misrepresented. The hon. Member moved, that the boundaries of the borough of Whitehaven should be those fixed by the Local Act, 56 Geo. 3rd, and the statutes to which that Act related.

Mr. *James* seconded the Motion, and observed, that the rural district at present contained but a small number of voters, but might at some future time be made the means of throwing an immense influence into the hands of the Earl of Lonsdale, who would be able, if he chose, to put his coach horses into nomination for the borough. There was also a matter to which he wished to call the attention of the Government, and that was, that it was reported at Whitehaven that the settlement of the boundaries, as they now stood, had been drawn up by an agent of the noble Earl, and had been signed in his Colliery Office. So at least it was stated in a printed paper which had been sent up to him. He asserted that the present settlement of the boundaries would, in fact, make Whitehaven a close borough; and he therefore pressed upon the Ministers the adoption of the proposed alteration.

Lord *Althorp* said, he apprehended it was not necessary for him to give any proof that the Government had entered into no compromise with Lord Lonsdale and the opposite party; for no one, who knew at all what was the state of parties, could possibly believe that any such compromise had taken place. The hon. Member should at once be informed what were the grounds on which the Government had changed their intentions with regard to these boundaries. It had been urged upon them, that in adopting the boundaries they originally proposed, they should be creating an anomaly in this particular instance, and deviating from what they had laid down as the principle of the Bill. They had at first been informed that the whole of Whitehaven was the property of Lord Lonsdale, but they subsequently found that that information was not correct, and that the influence he would possess there was no more than what property was on all hands agreed to be fairly entitled to. The objection which they felt to fixing the boundaries according to these Local Acts to which the hon. Member had referred, was, that these Acts laid down certain limits, subject to be altered by subsequent circumstances; so that boundaries adopted by them would be perpetually shifting, as other places, under the particular circumstances stated in those Acts, came within their operation. With respect to the statement which the hon. member for Carlisle said he had received in a printed paper from Whitehaven, he (Lord Althorp) begged to observe, that it was impossible to be correct, for the boundaries were never decided on by the Commissioners, or at least, their decision was never known till they came to London. He repeated, therefore, that the reports alluded to by the hon. Member were without foundation, and he expressed himself satisfied that the boundaries decided on by the Commissioners were the best that the circumstances presented for their adoption.

The House divided:—Ayes 23; Noes 82—Majority 59.

List of the AYES.

Ellis, W.
Evans, Col. De Lacy
Evans, W.
Gillon, W.
Guise, Sir W. B.
Hoskins, K.
Howard, H.
Howard, P.
Hume J.
M'Namara, Major
Morrison, J.
O'Connell, D.
Paget, T.
Rider, T.
Stuart, Lord D.
Strickland, G.
Tennyson, Rt. Hon. C.
Thicknesse, R.
Warburton, H.
Wilks, J.
Williams, A. W.
Wood, Alderman
Wood, J.

TELLERS.

Blamire, W.
James, W.

Mr. *George Bankes* objected to the proposed boundary of the new borough of Dorchester. He thought that it should not be limited to the river Frome on the north. That river was, in fact, but a very small stream, and intersected a parish, the whole of which he conceived ought to be included within the boundary line. He should therefore propose, that the whole of the parish of Trinity, instead of that portion of it only which lay on the south of the Frome, be included within the limits of the borough.

Mr. *Portman* thought that such an amendment would be quite unnecessary, as he believed that only one house would be added to the borough by the extension of the boundary line, as the hon. Member proposed.

Mr. *George Bankes:* Three houses would be added—three considerable farm-houses.

Mr. *Portman* thought that, even if there were so many as three considerable farm-houses in that part of the parish which lay on the northern bank of the river, still the river itself was the most natural and definite boundary that could be adopted for the borough.

Lord *John Russell* thought, that the fact of there being some houses on the north of the river, was not a sufficient reason to warrant such an extension of the boundary as the hon. Gentleman wished. For his own part, he thought that the river was a well-marked boundary, and the best that could have been proposed,

Amendment negatived.

Mr. *Best* objected to the proposed boundaries of Wareham. They seemed to him to have been laid down with singular infelicity, and, if adopted by the House, would certainly make the constituency of Wareham so small as to endanger the continuance of its franchise for any length of time. This, he confessed, he was very anxious to prevent, on account of the great importance of Wareham as an agricultural town. The Commissioners, in drawing the boundary of the borough, had included all those parishes in the vicinity of the town which were least populous, instead of those which were most populous. Thus the constituency of the borough would be less than 200. To remedy this defect, and to give to the borough a permanence and a stability which he feared it would not otherwise possess, he begged to propose that the Isle of Purbeck be added to Wareham.

Mr. *Portman* had only to observe, that the inhabitants of Wareham were perfectly satisfied with the present boundary, and their present amount of constituency. He had himself suggested the propriety of increasing its amount, by adding Corfe Castle on the one side, and Bere Regis on the other, as he thought it desirable that the constituency of every borough should be made as numerous as local circumstances permitted. Indeed, he should not object to Purbeck being made an electoral district, with Wareham for its centre, as the commercial importance of the former entitled it to a more direct Representation, perhaps, than could be afforded it by the additional Member to the county. If Purbeck, however, were added, according to the letter of the hon. Member's amendment, to Wareham, it, and not Wareham, would actually return the Representatives, its constituency being so much more numerous.

Mr. *Robinson* protested against the doctrine just laid down by the hon. member for Dorsetshire; namely, that because the electors of a borough were themselves satisfied with their present locality and number, that therefore Parliament should not add to either. From his knowledge of Wareham, he could take it upon him to declare, that unless Corfe Castle be added to it, its constituency would not be as numerous as he was confident the authors of the Reform contemplated. He would, therefore, propose an Amendment to that effect.

Mr. *William Bankes* thought that the Isle of Purbeck would be a very natural addition to Wareham. A local and municipal connexion already existed between the two places, and he thought that it would tend to the advantage of both if they were united for the purposes of Representation.

Lord *John Russell* said, that Wareham was, without doubt, the most difficult case with which the Commissioners had had to deal. As the hon. Member had stated, its constituency, if the boundaries were limited as was proposed in the Bill, would be extremely small: but it became a matter of considerable difficulty to determine how an extension should take place. To the addition of Purbeck he should decidedly object, because its superior population would completely drown the constituency of Wareham. That objection did not apply to Corfe Castle; and, if it should seem to be the opinion of the House that that place should be joined to Wareham, he did not know that he should oppose it.

Mr. *George Bankes* said, the hon. Member had objected to the addition of Corfe Castle and Bere Regis, because it would give a preponderance to a particular political influence in the borough. Now, he thought such an argument most unjust. The object of the Bill was, to create a large constituency; and as the addition of Corfe Castle would have that effect, he was sure most of the Members on his side of the House, and all good Reformers, would support it.

Mr. *Portman* did not oppose the addition of Purbeck to Wareham, but if Corfe Castle were added, he should propose to add Bere Regis.

Mr. *George Bankes* would recommend his hon. friend to divide the House on his Amendment, if the hon. member for Dorsetshire should not oppose the union of Purbeck and Wareham, for he was sure that the proposition for the addition of Purbeck to the constituency of Wareham would have the support of the hon. member for Middlesex, because it would render the Representation more popular. It was a strange objection to that proposition, to say that Purbeck was under the control of the Tories.

Lord *Althorp* would not consider, in such a question, what particular interest might have an accession of influence; but he would object to the addition of Purbeck to Wareham, as creating too extended a constituency. He did not think that the addition of Corfe Castle was liable to the same objection.

Mr. *Warburton* was understood to say, that the addition of Corfe Castle to the constituency of Wareham would be advantageous.

Mr. *Baring Wall* was more convinced by the discussion upon the present question than he had ever before been, of the advantage which would have accrued from the sending of the Boundaries Bill to a Committee up-stairs. The questions which it embraced were too complicated to be adequately investigated in a Committee of the whole House. But, as that had not been done, he would not consent to the addition of Purbeck to Wareham, because he thought it was inexpedient and unjust to enlarge the constituency of any borough, and he thought that no borough ought to have a larger number of constituents than was necessary to secure its respectability. Indeed, he would say, that he thought the constituency of a borough ought to be as small as possible. The truth was, the Whigs had divided the counties in such a way, as to give to the Whig families a preponderating influence.

Lord *John Russell* was understood to say, that he had no objection to the addition of Corfe Castle to Wareham.

Sir *Edward Sugden* would support an amendment that should add Purbeck to Wareham.

Mr. *Calcraft* said, that having just come into the House, he was not aware of the arguments that had been brought forward in support of the Amendment. Whatever he should say, therefore, would be merely the expression of his individual opinion. He thought that the addition of Corfe Castle would destroy the independence of the new borough, and would preserve to the late proprietors of Corfe Castle—to the proprietors, he would say, of the late borough of Corfe Castle—the nomination, which it was the object of the Reform Bill to destroy. If that proposition were acceded to, a considerable portion of the other part of the county ought to be thrown in, to give the Whig proprietors their fair share of influence.

Mr. *Wrangham* said, that it was unfair to the Tories to say that the proposition came from any Member belonging to that party. The member for Worcester, who suggested the Amendment, was a constant and consistent supporter of the Whigs.

Mr. *Calcraft* said, that Purbeck was altogether in the hands of Tory proprietors.

Lord *Granville Somerset* said, that the gentleman who had last offered himself as a candidate for Wareham, was proprietor of Bere Regis.

Mr. *Portman* believed, that the statement of the noble Lord was correct; and he thought, therefore, that the boundary of the new borough ought to be left as the Commissioners had settled it.

Mr. *Robinson* was disgusted with the exhibition of family and party polemics to which his proposition had given rise. In giving his support to the proposition for adding Corfe Castle to Wareham, he had not been influenced by any desire to support any party, or to give new influence to any family, Whig or Tory. The only object which he had in view was, to render the constituency of the new borough such as should exclude either family or party influence.

Mr. Best withdrew his Amendment, and on the Amendment that Corfe Castle be added to Wareham, the House divided:—Ayes 55; Noes 122—Majority 67.

Mr. *Tennyson* rose to submit to the House an amendment respecting the boundaries of Stamford. The electors of that borough had much reason to complain, for they had endured much persecution for maintaining their independence. The objection he had to the arrangement proposed by the Commissioners was, that they had added to the old borough of Stamford, which was in Lincolnshire, the parish of St. Martin, Stamford Baron, which was in the county of Northampton, and divided from the borough of Stamford by the river Welland. It was totally distinct from Old Stamford, which had its own Magistrate and its own Corporation. The two, therefore, were as distinct as possible, and ought not to be united. He would begin by referring to a petition which he had presented some time ago. The petitioners, after deprecating the application of the 10*l.* franchise to scot and lot boroughs, in which he cordially joined with them, and after stating that many of them had been turned out of their houses, and otherwise cruelly treated, went on to pray, that the parish of St. Martin be not added to the borough, for not only was the greater portion of it the property of the Marquess of Exeter, but his influence by such an addition would overwhelm the whole of the independent interest in Stamford. The petitioners also stated, that the inhabitants of the borough would rather that it should be disfranchised altogether, than that such an arrangement should be made, tending to increase the influence of the Marquess of Exeter. He had indulged a hope that his noble friends would have listened to the representations of these petitioners, and would have abstained from doing an act by which the freedom of their borough would be entirely and for ever destroyed. He would impute no sinister views, no improper motives, to his noble friends; it could not be their object to offer any sacrifice of this kind to a nobleman who was totally opposed to them in political opinions. They could have no object but to discharge their duty, according to the best of their judgment, and in the most conscientious manner; any more than the Commissioners, who no doubt intended to discharge the duties imposed upon them according to the best of their ability; but notwithstanding these admissions, it was fully open to the House—nay more, it was the duty of the House—if they should find, that any of these arrangements did in fact counteract the purposes of the Reform Bill, which was to amend the representation of the people, and not to destroy it—to correct any erroneous arrangement which might have such effect, and he trusted to be enabled to do so on the present occasion. The borough of Old Stamford contained about 6,000 inhabitants, and from 400 to 500 10*l.* houses. The real number of 10*l.* houses was 496; however, he would let the number be as stated by the Commissioners 400. It had in either case, an ample constituency, considerably exceeding the number required. The township of St. Martin, which the House would always remember was in the county of Northampton on the opposite side of the river, and in every respect totally distinct from Stamford, contained only 1,200 inhabitants, and, according to the Commissioners' Report, sixty 10*l.* houses. Now, when it was considered that by far the greater number of these houses—indeed, the whole of the parish, with the exception of some five and twenty acres—belong to the Marquess of Exeter—when it was recollected, that after two severe contests, which excited great interest and attention throughout the country at the time, he (Mr. Tennyson) only obtained a majority of fifty voters—and if his opponent had not resigned, and the whole of the voters had been polled out, that majority would have been reduced to about thirty or thirty-five—when the House considered these circumstances, he hoped it would, at least, pause before it consented to the addition of the parish of St. Martin. It was quite unnecessary to observe that the addition of this village—for it really was nothing more than a well-built village in Northamptonshire—was superfluous for the objects of the Bill, for there was a sufficiently large constituency already existing. It was equally obvious, that if such addition were made, the Marquess of Exeter might hereafter choose—as he had heretofore, in all times past, chosen, until the election of 1831—the members for Stamford. The interests of St. Martin's were not such, individually, as to require any representation beyond that which it obtained as a portion of the county of Northampton; but even if it did, they would not procure for it, adding it to Stamford, such Representation, for the inhabitants being chiefly Lord Exeter's tenants, they had not, and would not be permitted to exercise, any will of their own. But, by thus adding it to Stamford, they would deprive that town of the power—the ancient right—lately, at the price of so much suffering to the inhabitants, recovered—of sending its own representatives to Parliament. Under the pretext of giving Representation to St. Martin's, which would not be achieved, Stamford would be robbed of the Representation it possessed. He understood, that his noble friend, the Paymaster of the Forces, if he (Mr. Tennyson) should fail in excluding the entire parish of St. Martin, proposed to contract the boundary, so as to include only that portion of it which had been pointed out by the Commissioners for the option of the Government, who, in the first instance, determined to add the whole parish. The whole parish contained 776 acres, including a great portion of the park of the Marquess of Exeter, and other ground belonging to him. This park and some other territory was to be omitted, but still the whole of that part of the parish which was now built upon was to be included and a considerable district of ground also which the Commissioners stated would leave space for a much larger and more populous community than the parish of St. Martin's now contained. So, my Lord Exeter would not only have the benefit of the buildings which now existed, but might add to their number at his pleasure, and might also raise the small tenements in St. Martin's to 10*l.* holdings, by means of 600 or 700 acres of land which he possessed in Stamford; thus he might increase his interest to an immense extent, if it were necessary. But it was unnecessary—for the buildings already included, even in the contracted boundary, would, as effectually as the addition of the whole parish, enable the noble Marquess to command the Representation of the borough of Stamford in all future times. It should be observed, that this was the only side of Stamford on which any new buildings could be erected; for Stamford was girt round on all other sides by open fields and commons, over which the Marquess of Exeter was Lord of the Manor; and he had contrary to the anxiously-repeated wishes of the inhabitants constantly refused to consent to an enclosure, lest, by the creation of separate property, other parties should build houses there in opposition to his interest, and thus the borough be emancipated. Now the addition proposed on the other side of the borough was given to the Marquess of Exeter alone, and he could build houses to a great and overwhelming extent. He believed his noble friends imagined that in adhering to this arrangement, they were following up and acting upon some general rule which they had established. He had looked through the instructions to the Commissioners with some anxiety, but had been unable to discover any such general rule, as applied to boroughs having more than 300 10*l.* houses. It was true such a rule might be a good one—it might be wise and reasonable and expedient to proceed upon the general principle of adding districts of towns adjacent to old boroughs, even if situated in another county: but yet if the application of such general rule to a particular case, instead of promoting the independence of the whole constituency, and contributing to the freedom of election, should, on the contrary, altogether destroy both, and thus counteract the express object and design of the Reform Bill—then an exception ought to be made in such a case. But, he could find no case whatever—perhaps, if there was one his noble friends would point it out. He was not aware of any case in which, for the sake of adding to a borough with a sufficient, or even an insufficient, constituency, his Majesty's Ministers had crossed a river, and gone into another county. The only case in which the circumstances were analogous to this, the only case which formed a parallel to it, which he had been able to discover, was that of Windsor. Windsor contained 7,000 inhabitants; it was joined to Eton by a bridge over the river Thames, which separated the two towns; and, that the parallel might be complete, Windsor was in the county of Berks, and Eton in the county of Buckingham. The township of Eton, which was as much connected with Windsor as that of St. Martin was with Stamford, contained 3,500 inhabitants; whereas the number of inhabitants in St. Martin was only 1,200. How had his Majesty's Ministers acted with regard to this parallel case of Windsor and Eton. Had they united the two places for the purpose of Representation? No such thing; and why not? He should like to hear from his noble friends, why, when upon the general rule or principle which they assumed they added St. Martin to Stamford, they had not also added Eton, with more than double the population of St. Martin, to Windsor? He was totally at a loss to discover any reason for the different treatment of these two cases. The reason given by the Commissioners, indeed, appeared substantively and substantially to be a very good one. They said, 'The respectable character and 'appearance of the town of Eton, and the 'very natural similarity of interests which 'arises from the continuity of two such 'towns, are reasons why it might, under 'some circumstances, be considered advis- 'able to extend to Eton the privilege of 'the elective franchise; now here is the 'reason; but as Windsor has, without such 'addition, 778 houses worth 10*l.*, the 'boundary line proposed does not include 'Eton.' Why did not his noble friends say the same thing in the case of Stamford; and when they found that it contained 400 or 500 10*l.* houses, equally decide that the boundary line should not include the township of St. Martin? If Eton had been added to the town of Windsor, there would have been no interest introduced by such a proceeding that would have crushed the independence of the electors of Windsor. On the contrary, such an addition would have thrown into that town a body of independent voters, who might possibly have relieved them from the operation of certain influences to which they might be exposed. His right hon. friend, the Secretary for Ireland and member for Windsor, might perhaps be able to give some information on this point. But in the case of Stamford, the addition was made in direct contradiction to the principle upon which the addition was avoided in the case of Windsor; and moreover, the addition of the township of St. Martin must for ever crush and absolutely annihilate the independence of the electors of Stamford—that independence, for which its patriotic and noble-minded inhabitants had fought so magnanimously, and at sacrifices which in a peculiar manner entitled them to justice, at least, if not to favour. He could not avoid remarking upon the extreme absurdity, that in a Bill which professed "to amend the Representation of the people"—in a measure which affected to retain certain boroughs, because they were fit to enjoy Representation—any borough so retained should, by the new arrangements effected in the measure itself, be gratuitously and wilfully placed in such a situation as to be deprived of the Representation it before enjoyed, and become a nomination borough! If such an effect in the present case, formed a single exception to the general operation of the Reform Bills, the House ought to prevent any such exception, by abandoning the new boundary now proposed. If there were more of such cases—the result of new boundaries and arrangements—then the country would very soon require a new Reform Bill, and a new schedule A. He trusted, however, that there would be no case so preposterous as this—no case where an open borough—especially one where the inhabitants had conquered its own freedom, after an admirable and arduous struggle, under circumstances of terror and persecution, and at a period when the effect was of even more importance to the kingdom at large than to themselves locally, would by the Reform which they had contributed to accomplish, be transformed into a complete nomination borough. Such however would be the effect at Stamford, if the House should not agree to his Motion, as must be perfectly clear to any man at all acquainted with the town, and the circumstances connected with it. The electors of Stamford nobly exerted themselves on behalf of their country; they not only encountered personal oppressions, but it should be recollected that, being scot-and-lot voters, they consented, for the general cause of Reform, to return him to Parliament, although they knew he proposed to support a Reform Bill, by which the class to which the majority of them belonged would be deprived of their elective rights. They trusted that, at least, the constituency to be substituted in their places would be left an independent constituency: little did they dream that this magnificent promise of Reform, to which they were so largely sacrificing, would establish the new constituency under circumstances which would render its perpetual condition more abject than that from which they were then redeeming themselves. It was with feelings of grief, but not of despair—for they still looked with confidence to this House, that they found, after all they had undergone, after all the afflictions they had been compelled to endure—that their borough was to be eternally consigned to that same domination from which they naturally imagined they were for ever emancipated. Others had sacrificed to this great cause; private individuals had made large surrenders on the altar of their country; yet little did those who made sacrifices of this kind imagine, when they cheerfully, joyfully offered up boroughs over which they possessed the power of nomination, that the names, situations, and patrons of such boroughs would alone be changed! That other nomination boroughs, much more objectionable in principle than those which had been abolished, would be constituted—more objectionable because they were not paltry villages, or green mounds, but communities assumed to deserve and require Representation, and therefore retained for that purpose. He was aware that he might appear to be an interested advocate, when stating his impression, that it would hereafter be impossible for himself, or any other independent man, to represent the borough of Stamford, if he failed in his present Motion. But he assured the House he was exclusively actuated now, as when he headed the electors of Stamford in their successful struggle, by an anxiety to rescue for the people a portion of their inheritance; and that neither then, nor on any other occasion in the course of his public life, had he ever suffered himself to be influenced by private views, by personal feelings, or self-interested motives. If the result should be, that the means by which he sat in that House should fail, and, no other offer to him, he should, at the dissolution of Parliament, retire from the political world into private life, and carry with him the sweet and lasting consolation, that, during his public career, he had done all in his humble power, and according to the best of his feeble judgment, to advance, and to establish upon a permanent foundation, the liberties and happiness of his country. Thanking the House for the indulgence which he had ventured to bespeak on behalf of his constituents, he should move to leave out all the words after the word "Stamford" in the description of the boundary of that borough.

Mr. *Wilks* had been requested to second the Motion, but if he had not been requested, he should have done it most cheerfully on behalf of all the constituency of England. He would resist to the utmost of his power, an attempt like this, to frustrate the triumph of Reform. He opposed with reluctance those he was in the habit of supporting; but in this instance they appeared to oppose themselves. In the Borough, of Stamford there was a sufficient number of independent voters to entitle that place to retain its Members without adding St. Martin's to it, which would only expose them to a repetition of those harassing and degrading contests to which they had been long subject, and from which they had almost emancipated themselves. The proposed union was only calculated to deprive the electors of Stamford of the privileges they had long enjoyed, and most honourably exercised. He cordially supported the Amendment.

Lord *Althorp* thought it was impossible that the committee could have acted otherwise than they had done with respect to Stamford. The rule upon which they had always acted was this—that whenever the bounds of the town extended beyond the limits of the borough, the whole town should be included in the borough. If they had done otherwise in this case, they would have done so only because the Marquess of Exeter had influence in the parish of St. Martin. To admit that as a reason would be contrary to every principle on which they had acted, or ought to act. The right hon. member would recollect, that in the course of some conversation last year, relative to the appointment of the commissioners, he suggested that those gentlemen should not add St. Martin to Stamford, on account of the influence which the Marquess of Exeter possessed in that place, to which he (Lord Althorp) replied that it was totally impossible that the commissioners could take that circumstance into their consideration. No one who was acquainted with Stamford could pretend that St. Martin was not a part of the town. It was a trifling circumstance, perhaps, to mention, but the Inn at which persons changed horses in travelling through Stamford was actually in St. Martin. As he said before, the only ground upon which the right hon. Gentleman could pretend to justify the exclusion of St. Martin, was the influence possessed by the Marquess of Exeter in that parish; but that argument was so contrary to every principle of impartiality and justice, that he could not bring himself to support it. Upon these grounds, he thought that the House would come to a wrong decision if they should agree to the Motion. He would take care not to be a *particeps criminis*, and therefore should vote against it.

Colonel *Davies* said, the Commissioners had departed from the principle to which the noble Lord had alluded, and he would vote in favour of the Motion, because he thought the electors of Stamford were hardly and unjustly treated by the arrangement made by the Commissioners.

Lord *John Russell* said, that the reply which was given to his right hon. friend in the last Session of Parliament, and to which his noble friend had referred, was a sufficient answer to the insinuation contained in the latter portion of the hon. and gallant Member's speech. If the Government had acted upon the principle of inquiring what particular influence prevailed in boroughs, with a view of making it preponderate in some cases, and of weakening it in others, the Boundary Bill, instead of being a measure which they could recommend, would be a measure of as gross partiality as ever was proposed in Parliament. Putting aside the question of the Marquess of Exeter's influence, let them examine whether it were proper that the proposed addition should be made to Stamford. The rule upon which the Commissioners had acted was this, that all parts of a town, extending beyond the limits of the borough, should be added to the borough. The Commissioners found that the parish of St. Martin, though not under the municipal jurisdiction, was, in fact, part of the town of Stamford, and was under the same regulations with respect to assessed taxes and militia. In Sudbury, and in many other cases, the Commissioners acted upon the principle which it was proposed to apply to Stamford. It was said that they had departed from this rule by not uniting Eton to Windsor. The case of Eton was anxiously considered by his hon. friend (Mr. Littleton) and Lieutenant Drummond, and they felt much difficulty as to what ought to be determined in this case; upon the whole, however, seeing that the constituency of Windsor was very numerous, and that Eton was a town of itself, and applied to the particular purpose of a College, it was thought better to make that an exception to the general rule. That was a satisfactory explanation of what appeared at first to be a discrepancy in these arrangements. If the House should agree to the Amendment, in order to counteract the influence of the Marquess of Exeter in the borough of Stamford, they would act upon a principle which he should be sorry to see introduced. He should certainly feel regret, if the arrangement proposed by the Bill should operate prejudicially to the interests of a body of men, whose independent conduct had acquired for them the respect of all the friends of liberty. This, however, was a consideration which they could not entertain, and, although he might lament the consequences, he must adhere to the principle of the Bill.

Mr. *Wrangham* opposed the Amendment. He expressed his surprise at the new-born zeal of those who now objected to the influence of a Tory nobleman, though they had never found fault with the influence of a man of property when he was a Whig. The case of Sudbury was a case in point, and he thanked the noble Lord for admitting that the hamlet of Ballingdon was a part of Sudbury—a fact which he had in vain endeavoured to urge upon the noble Lords formerly, to prevent the unjust disfranchisement of Sudbury. He was sure that such discussions as the present were not very creditable to the House. He would support the arrangement made by the Commissioners, and vote for uniting St. Martin's with Stamford, because he thought they were more competent to effect a proper one than the House was.

The House divided:—Ayes 19; Noes 172—Majority 153.

List of the AYES.

Blamire, W.
Davies, Colonel
Ellis, W.
Heneage, G. F.
Hoskins, K.
Howard, H.
Hunt, H.
James, W.
Moreton, Hon. H. G. F.
Noel, Sir G.
O'Connell, D.
Paget, T.
Rider, T.
Stuart, Lord D.
Thicknesse, R.
Tomes, J.
Warburton, H.
Wood, J.
Williams, W. A.

TELLERS.

Tennyson, Rt. Hon. C.
Wilks, J.

Mr. *William Miles* could not allow the last opportunity which this debate afforded, to pass without pointing out to his Majesty's Government the hardship that would be inflicted upon the freeholders of that district which it was proposed to include within the boundaries of the city of Bristol for election purposes. If he should succeed in distinctly stating the case, he was convinced that his Majesty's Government would see the propriety of not disturbing the boundaries of Bristol at present well known and defined. The right of voting therein was very varied and extensive. Freeholds, however, situated in Bristol, gave only franchises for the city. By the Reform Bill which was last year rejected by the Lords, it was proposed to increase these freehold rights, and to permit the possessors to vote for the county of Gloucester or Somerset, according to the relative situation of their freeholds on either side of the river Avon, at present forming the geographical and natural division of the counties. That Bill, however, which had now become law, confined the freeholders to their ancient rights; and, although they had just cause to complain of the omission of that clause by which they would have been so greatly benefited, still no injustice had been committed, as, though the House had thought it advisable not to extend to them any additional privilege, yet it had not abstracted from them any possessed right. The case, however, assumed a very different aspect, when by this Bill a district of country, containing 33,304 inhabitants, was taken from the county of Gloucester, and a population of 12,032 persons from the parish of Bedminster, in the county of Somerset, and placed within the boundaries of the city of Bristol for election purposes. The freeholders of this extensive district, amounting, as stated on a former occasion by his hon. friend, the member for Bristol, to 2,000, would then become subject to the same election-law as was applicable to the freeholders of Bristol, and would be restricted to the exercise of their franchise for the city alone. They could not, however, grant an equal participation in the elective rights for the city to the 45,336 persons thus abstracted from the county constituency as was enjoyed by the 59,034 persons now composing the population of Bristol, as of the former number, the freeholders and 10*l.* householders would alone possess the right of voting; whilst of the latter, in addition to these classes, freemen by birth and servitude, in perpetuity, and those by marriage, for life, if resident, at present forming by far the greatest portion of the constituency, would still participate in the electoral privilege. Thus the large body of inhabitants resident in the suburbs of Bristol would be deprived of a participation in county elections, which, with other freeholders, copyholders, and leaseholders, they would have equally shared, without granting to them equal privileges and rights with the constituency of that city to which it was thought necessary to transfer them. Whether or no it was politic as far as regarded the agricultural interest, that freeholders of large towns and their suburbs should participate in the county franchise, it would be useless now to inquire. It was determined to retain them all, and he therefore required only equal justice to all. Let it be recollected that very many of the freeholders to be added to Bristol, already possessed, by freedom, a right of voting for that city; so that such persons were actually deprived of a right possessed, without any equivalent, whilst to the freeholders of Manchester, Birmingham, and other favoured towns, should they occupy a 10*l.* house in addition to their freeholds, a participation in both town and county Representation was given. Whence this anomaly? Was the electoral body so small—were the qualifying tenements so few—in the city of Bristol, as to call for this large annexation of territory? By reference to the number of electors that polled at the contested election in 1830, it was ascertained that 6,338 exercised their rights on that occasion; if from this number the non-residents, stated as 1,200, were deducted, 5,138 would remain. Many persons had acquired their freedom since that period; and the Sheriff's return stated, that many freemen did not vote at that election: setting, however, these aside, as it was impossible with accuracy to ascertain the numbers, if to the 5,138 present electors were added the 10*l.* householders—and there were 550 qualifying tenements in Bristol—henceforward, even in the city as at present constituted, there would be a sufficiently large electoral body to meet even with the approbation of the hon. member for Preston. The proposed enlargement of boundaries could not but prove, in the highest degree, prejudicial to the interests of Bristol, as, from the influence that the freeholders in the suburbs at present possessed in the elections of the adjoining counties, whenever a question affecting the welfare of the city was agitated in the House, the attendance of these county Members was generally insured, and thus was greater weight given to the opinions and representations of the city Members. Nothing was added to the independence of Bristol by this addition to the boundaries, whilst the western division of Gloucestershire was converted into nearly a close borough. The population of that division consisted of 119,513 persons; so that, by taking away the elective power from the 33,304 persons who were to be added to Bristol, between a fourth and fifth of the population was abstracted from the county constituency: the inevitable effect of this would be, to throw such great weight into the hands of a noble friend of his, as to give him an almost complete ascendency in the return of Members for that county. Not an inhabitant of the district that it was proposed to include within the boundaries of Bristol was qualified by the possession of his property either to share in the civic privileges, or to discharge any corporate office within the city. As parishes they maintained their own poor, paid county-rates to, and served as Jurors in, the counties of Gloucester and Somerset. In every way they were disconnected from the city to which they were to be allied; but civilly, criminally, and, in the case of Bedminster, ecclesiastically, connected with the two counties from which the Bill dissevered them. That the 10*l.* householders resident in the district to be added who neither now enjoyed, by freehold tenure, a vote for the county, nor, by the possession of a freedom, one for the city—that they should be anxious for this annexation he could readily believe, as by such a proceeding they could alone be made participators in any election; but that the freeholders in a body were, and must be, opposed to the proposed boundaries, he was thoroughly convinced; indeed, the only evidence produced in the Report of the Commissioners of the desire of any body of persons for the connexion was this

—"That the inhabitants of the above enumerated parishes are said to be, in general, desirous of being considered as belonging to Bristol." But did it become the House, on mere hearsay evidence, upon a question of such deep interest to so large a body of freeholders, to come to a decision analogous to the report? He intreated the House to pause ere it sanctioned it with its approbation. All he asked was, that the freeholders should retain in those parishes, thus joined to Bristol, their present rights. He required no increase whatever to those rights, but called upon the Government—and in this case with confidence, as his appeal was alone to their feelings of justice—by assenting to his proposition, namely, that of allowing the present boundaries to remain unaltered, to confirm the privileges at present possessed by this large body of freeholders.

Mr. *Littleton* could only say, that the same principle which had been applied with respect to the city of Bristol, had been applied much more extensively with regard to other places. He did not think, however, that it was a matter of importance what the nature of the franchise was in this instance, because the parties lose nothing. He knew that one of the Members for Bristol highly approved of the incorporation of these districts with that city. Certainly, it might be true that some dissatisfaction existed on the part of individuals; but this House had not any cognizance of that fact. The new population which it was now proposed to include within the boundaries of the city of Bristol was certainly identified in interest with the inhabitants of the old city, and it would have been extremely injudicious to lose this opportunity of combining them together in the Representation.

Lord *Granville Somerset* said, it was very doubtful whether the arrangement was at all judiciously made. They were to take a population out of the county of Gloucester, and out of the county of Somerset, and connect them with the city of Bristol, with which they appeared to have no natural alliance. It was perfectly true that many of the persons in those districts were connected with Bristol in the way of trade; but to tell the House that they should, therefore, be united with that city in the Representation, was as reasonable as to say that all the inhabitants of the adjacent hundreds of Surrey should be thrown into the constituency for the county of Middlesex, simply because a great many persons residing in those hundreds derived their means of subsistence from the county of Middlesex. This did not appear to be an argument at all satisfactory in support of the proposition. A great proportion of the persons connected with Bristol were decidedly opposed to the arrangement; and if this plan had been proposed with a view to conciliate their feelings, then the noble Lord and the hon. Gentleman had completely failed. But after the decided manner in which the noble Lord, on a former occasion, expressed his opinion upon it, it could not be worth while to divide the House upon the question.

Clause agreed to.

Several verbal Amendments were agreed to, and the Bill passed.

REFORM BILL (SCOTLAND).] On the Motion of the Lord Advocate, the Report on the Scotch Reform Bill was taken into further consideration. The learned Lord moved a qualification clause, which was read a first and second time, and ordered to stand part of the Bill.

HOUSE OF LORDS,

Saturday, June 23, 1832.

MINUTES.] Bill. The Division of Counties brought up from the Commons, and read a first time.

HOUSE OF LORDS,

Monday, June 25, 1832.

MINUTES.] Papers ordered. On the Motion of the Bishop of EXETER, Copies of the Titles of the Books referred to by the Board of Education in Ireland as "The Standard of the Catholic Faith."—On the Motion of the Earl of WICKLOW, an Account of the different Applications for Schools made to the Board of Education (Ireland). On the Motion of the Earl of GLENGALL, a Copy of the Monthly Returns of the Chief Constables of Police in Ireland, of the King's County, Queen's County, Westmeath, Carlow, Kilkenny, Clare, and Tipperary, of the Outrages committed in their respective Baronies, from the 1st of March to the latest period.

Bills. Read a second time:—Corporation Funds; Beer Act Amendment.

Petitions presented. By the Earl of SLIGO, from Ballinrobe; and by the Earl of SEFTON, from Liverpool,—in favour of the Ministerial Plan of Education (Ireland).—By the Earl of RADNOR, from York, for Relief to the Trading and Agricultural Interest.—By Earl GREY, from Reading;—by the Bishop of CHICHESTER, from Horsham;—by the Duke of SUSSEX, from Liverpool;—by Lord HOLLAND, from Warrington;—by the Earl of CAMPERDOWN, from Wigtown and Stapleton;—by Lord DINORBEN, from Danby and Calmstock;—by the Marquess of CLEVELAND, from Olney;—and by the Duke of LEINSTER, from High Platts Penistance,—for a Revision of the Criminal Code.

PUNISHMENT OF DEATH.] Lord *Suffield* had the honour to present a Petition to their Lordships for the amelioration of the

Criminal Code, from the Inhabitants of Kingston-upon-Thames; and the Petitioners stated that they regarded the enactments which went to inflict the punishment of Death, in cases of attack upon private property, unaccompanied by personal violence, as repugnant to humanity, injurious to the interests of society, and contrary to the principles of our religion; that the severity of the sentence, far from affording security to property, tended to increase the commission of the offence; and they therefore prayed their Lordships to repeal all such laws. He was glad to have the opportunity of drawing their Lordships' attention to this subject, as the Punishment of Death Bill stood for recommittal that very day. It was unnecessary for him to state, that he entirely and cordially concurred in the prayer of this petition. He rejoiced to find that the feelings of the public were so strong on this subject; and that a Bill, in unison with those feelings, was upon their Lordships' Table. He would not then enter into an argument upon the question as to how far a man had a right to cut short his fellow creature's existence, upon his own fallible judgment—he did not think it necessary then to go into that question; and would only say, that no one should be willing to inflict that punishment, unless he was convinced of the necessity and expediency of such a punishment. He would ask, whether it were politic or expedient that laws should remain on the Statute Book which the greater part of mankind refused to carry into execution? Was it politic or expedient to retain on the Statute Book laws which had the effect of transferring from the culprit to the law, the odium due only to the crime, and which tended to awaken sympathy and commiseration for the sufferer, rather than to deter from guilt? If it were shown, as it could be, that not the least possible good could result from these laws, that they were neither politic nor expedient, sufficient reason was afforded for their repeal. But he went still further, and said, that these laws were productive of mischief. This was proved by the disinclination which existed, on all hands, to carry them into effect, by which means it frequently happened that guilty persons were protected from any punishment whatever. They consequently offered a temptation to crime, by holding out a hope of impunity, and had a great tendency to induce the commission of perjury. It was a notorious fact that both Jurors and witnesses often perjured themselves, in order to save the criminal from capital punishment; while, now and then, although not so often, reluctance was manifested by the Judge to sentence a prisoner who had been convicted. If, therefore, a temptation was held out to the commission of perjury, that was of itself a strong ground of objection to the law which caused it. On this account he felt the greatest satisfaction that a Bill should now be before their Lordships on the subject, hailing it as the first step towards the improvement of the Criminal laws. He would beg, before sitting down, to recommend to the particular attention of their Lordships, the propriety of establishing some secondary punishments, because, without them, the course of justice would be incomplete. At present no satisfactory secondary punishment existed; and crime had increased in an alarming ratio. In America, secondary punishments, by corrective discipline, had been found to answer exceedingly well—not only deterring others from the commission of crime, but effecting an entire reformation in the character of the criminal. At New York, and at Connecticut, there were establishments in which convicts were subjected to this species of discipline—they were compelled to silence and to labour. During the day they were subject to inspection, worked together, and at night they were locked up alone. They eat their meals in silence, sitting with their backs to the centre of the room, so that they did not see each other; and if a man uttered a word, the gaoler or superintendent (who carried a whip) immediately inflicted the lash upon the offending individual. He did not admire this part of the discipline; but, in two other similar establishments, one at Philadelphia and the other in Pennsylvania—equally effective—the whip was not used; all the convicts worked in solitary confinement, and disobedience was punished by short allowance of food, and more rigid restraint. He considered that the discipline pursued at these establishments was well worthy of the attention of his Majesty's Government; and he hoped that it would be considered advisable to send out a Commission of Inquiry, to ascertain what probable advantage might be derived from adopting it, or that some other means should be taken by his Majesty's Government for the purpose of obtaining the best information on this subject; for those who were adverse to the infliction of capital punishment would have a good right to complain, if the Government did not substitute such other and secondary punishments as had been found to operate well in other countries.

Lord Dacre moved the Order of the Day for the House resolving itself into Committee on the Punishment of Death Bill.

Lord *Tenterden* said, that he felt called upon to express his dissent from this Bill in its present stage. If he could allow his conduct to be influenced by personal motives, he might feel disposed to give his assent to such a Bill as this, the effect of which would be to relieve himself and his brother Judges from an exceedingly painful duty. His first objection to this Bill was, that we had at present no substitute for the punishment of death in those cases in which the Bill went to abolish that punishment. We had at present, in this country, no punishment which could effect the same degree of terror as was intended by the punishment of death. The noble Lord opposite had referred them to the institutions of the United States of America, and had called upon them to follow the example set to them in that country. He did not profess to be acquainted with what had taken place in America on this subject, but he thought he could perceive, from the countenances of many noble Lords, while the noble Lord was addressing himself to that point, that the example of America was not one that could be followed in this country. He wished, first of all, to see some secondary punishment introduced into this country, and sanctioned by the law, before they took away the punishment of death from the cases to which this Bill applied. If some kind of secondary punishment were thus introduced, and if it should be found to be salutary and effective, then he would heartily assent to such a measure as this, but not till then. By postponing this Bill for the present, Parliament and the public would be induced to devote their earnest attention to the subject, for the purpose of devising some substitute for the punishment of death in those cases, and that would be one good effect of opposing the Bill now; for, if this measure should be now carried, he greatly feared that very little exertion would be made to provide that substitute hereafter. The protection of property was the duty of the Legislature of every country; its security and protection formed one of the main objects of society, and he did not believe that upon any principles of religion or morality, properly understood, the taking measures for that purpose would be condemned, where they were necessary for the protection of property. He would admit that that necessity should be clearly made out. This Bill abolished the punishment of death for stealing in a dwelling-house to any amount, thus repealing the existing law, which fixed the amount that made the offence capital at *5l.* That offence was first made capital by an Act passed in the reign of William 3rd, which made the stealing above the value of 40*s.* in a dwelling-house felony, and punishable with death. The preamble to that Act recited, that servants and other disorderly persons, had been induced to rob and plunder their masters in their dwelling-houses, by reason of the benefit of clergy being extended to such offences, and that it was, therefore, necessary to pass that Act, for the purpose of taking it away from them. As the law now stood, the amount which rendered the offence capital was fixed at *5l.*, but if this measure should be passed, taking away the punishment of death from all such offences, the temptation to steal in dwelling-houses would be greatly increased. It was said, that as this punishment was now rarely inflicted, it would be better to abolish it altogether. It was quite true that it was rarely inflicted, and he was glad to say, that after all the complaints which they heard of the severity of the laws of England, they heard no complaints as to the severity of their administration. But, though the punishment of death was rarely applied in such cases, the power of its application was attended with a salutary effect, for it was a very different thing for a man to be able to say to himself, "By the law of the land, I can commit such and such crimes, and not suffer death," and to be able to say, "If I commit such and such crimes, I may suffer death." With respect to the other branch of this Bill, which related to stealing horses and sheep, he should observe, that the former was made a capital offence in the reign of Edward 6th, and the latter in that of George 1st. In each case, the penalty of death was inflicted, in consequence of the great increase of the crime. Now, he would ask, had the crime decreased recently to such an extent as to render the removal of the highest punishment necessary? As to the argument, that the present state of the law induced perjury, he would observe, that at present Juries were always directed to find the value of the article as if it were to be sold, although every one knew that a man's property was more valuable to him than that rate of calculation; and he (Lord

Tenterden) had not found that Juries were willing or anxious to find verdicts under the value which would inflict the punishment of death. With regard to the disinclination of prosecutors to come forward, he had no doubt that many abstained from motives of humanity, as they stated; but he believed that many professed to abstain from prosecuting on those grounds, whose real motive was to save themselves the trouble and expense of prosecuting, and to obtain their goods again without that inconvenience. These were his views on the subject. He thought it better to postpone the Bill, until some substitute could be found for the punishment of death. If any noble Lord would apply his attention to this subject, and should think his (Lord Tenterden's) experience of any avail, he should be happy to give any assistance in his power.

The Earl of *Eldon* said, he had not had much experience in Criminal Courts; but for twenty-five years he had been the individual who had advised his Majesty as to the infliction of the punishment of death, and he hoped he had discharged that duty conscientiously, as he was sure he had with much assiduity. He never went to the King with the Recorder's report in his hand, without having carefully read every case it contained, made an abstract of the whole evidence, and considered the effect of that evidence, and its bearings in each particular case. It was no easy task to find an appropriate secondary punishment, for that had employed his thoughts and attention for twenty-five years, and he never could find what he considered a proper secondary punishment. He must state to their Lordships, that according to his experience, the fear of death did very often operate to prevent the commission of those crimes against which it was directed. He remembered a particular case, that the Judges having found a great number of horses stolen, had declared, that on the next Circuit they would leave every man for execution who was found guilty of that offence. He believed that between that and the next Circuit, not one horse was stolen in all England; so that the Judges were saved by that fact from putting into execution the denunciation they had previously made. Many crimes of the same denomination differed so much in circumstances, and were so different in degrees of guilt, that the Legislature had been compelled to make a sweeping law to embrace them all. He need not go further than the subjects mentioned in the Bill, to find an illustration of this fact. One part of the Bill related to horse-stealing; and he remembered two cases of horse-stealing which would explain what he meant; one was the case of a man who stole a horse in the neighbourhood of London, and afterwards sold it to some person near the Small-pox Hospital, who killed it. That horse, it was proved on the trial, was not of the value of *5s.*, except to be killed. The Crown extended its mercy to the man, and it certainly would have been a hard case if the law had been suffered to take its course. In the same Report was another case of a man convicted of stealing a horse eight or nine miles from London, in the county of Essex. On this man's trial it was proved, by those who traced his progress after stealing the first horse, that before he reached London he had stolen nine horses more. Not only was he guilty of all these offences, but it was also proved on his trial, that there were found on him the keys of all the turnpike-gates within six miles of London. These two cases were very different, and he was not able to find out how one law, one punishment, could be made to apply to such different cases, though they came under the same denomination. The same difficulty was found with respect to forgery. Suppose a man was to forge a cheque upon him for 10*l.*; he should as soon think of hanging himself as hanging the man for that single offence. But forgery might be committed with some most aggravated circumstances; there might be great breaches of confidence —a person might be intrusted with powers of attorney, and might defraud all his customers—a man might do as Fauntleroy did, forge all the names of the customers for whom he was trustee, and might take out of the pockets of those customers, in a few months, 250,000*l.* or 300,000*l.*; and to say that such a man was not to be punished with death, out of respect for human life, was carrying the doctrine too far; and in that he could not agree. How many honest and industrious persons had been reduced to want and misery by such nefarious and profligate proceedings? Again, the Bill exempted from the punishment of death individuals found guilty of stealing to the amount of *5l.* in a dwelling-house. Was this, as a general regulation, a wise one? A man might come to his house, and steal *5l.* Now if he prosecuted that man to conviction, he did not think that the man was likely to be visited with the extreme penalty of the law, because the offence would not seriously affect his fortune. But let them put the case in another way. Let them suppose that the person despoiled was a poor industrious man, who had found it extremely difficult to amass such a sum. Did not this make a wide and marked distinction in the case? Did not the act that reduced this man to utter penury deserve condign punishment? The lightnings of heaven might consume the poor man's cottage, the thunders of heaven might destroy his dwelling, but still the law said, "It is his castle, and the hand of violence shall not touch it." But what did this law declare? It said, that the robber might enter the poor man's abode, almost with impunity. The ruffian who deprived the poor man of *5l.* robbed him, perhaps, of every shilling that he possessed in the world, took from him more, perhaps, than he would be able to acquire in five or ten years, by his most anxious exertions. The laws of this country were justly framed to meet all these circumstances, and any severity that might appear to be attached to them, was fairly balanced by the prerogative of mercy which was placed in the hands of the Crown. As to what had been said as to Juries refusing to convict, from the apprehension that capital punishment might be inflicted, he agreed with his noble and learned friend, the Chief Justice (Lord Tenterden), that such a statement was a gross slander on Juries, and he believed it was utterly unfounded. Juries had done, and he was sure would continue to do, their duty. He believed that they were perfectly ready to convict wherever it was necessary. The Judges, when appealed to, invariably told them, "Do you perform your duties, we shall unquestionably fulfil ours." He took credit to himself for placing at the head of the Court of King's Bench one of the very best men in the land, and their Lordships had heard what he said on the subject of Juries, and he concurred with him, that Juries generally did their duty. Before their Lordships attempted to alter the criminal code of the country in this manner, they ought to see what was a proper secondary punishment. He could only say, that having had opportunities, year after year, for nearly half a century, to consider this difficult question, he had never yet found one single man, bred in the study of the law, or one politician, knowing a great deal of the law, as many of them undoubtedly did, who was able to point out to him, what to his mind, was a satisfactory secondary punishment. The law provided general enactments to prevent enormous crimes. Now, they could not have those general enactments to prevent such crimes, without classing under them offences of a nature, with reference to which it might not be necessary, sometimes, to suffer the law to take its course. It did not, however, follow that they ought, therefore, to abrogate the law altogether. In such cases as those to which he had alluded, it was left to the Crown to exercise the prerogative of mercy; and, so far as his knowledge extended, mercy never had been refused in any instance where it ought not to have been withheld. He, therefore, was not favourable to this measure.

Lord *Dacre* said, he felt himself placed in rather a difficult situation, finding that his opinion was opposed to one of the greatest authorities upon this subject that existed in this or in any other country. He was not, it should be observed, the individual who moved the second reading of this Bill; but, as he was always friendly to a mitigation of punishment, and as he was anxious, whenever prudence would permit, to abolish capital, and to introduce secondary punishments, he would endeavour to persuade their Lordships to accede to the present measure. One would suppose, from the manner in which the noble and learned Lord had argued the question, that they were without secondary punishments of any description whatever in this country. He knew that it was very important to attempt to assimilate secondary punishments here, with those that had been introduced elsewhere, particularly in America. But, looking to the actual facts of the case, it would be found that secondary punishments did exist in this country at present. If they cast their eyes over the returns which had been laid on their Table, they would find, that during the years 1826, 1827, 1828, 1829, 1830, and 1831, 935 persons were convicted of sheep-stealing, out of which number only fourteen criminals suffered the last penalty of the law, being little more than $1\frac{1}{2}$ per cent. The remainder had undergone different secondary punishments, which were known at present. Was, then, this state of things so advantageous as to induce them to reject the present Bill—a measure which, he could easily show, was not likely to have the effect which the noble and learned Lord seemed to suppose that it would have? He had no objection to allowing the Judges of the land to possess that full discretion with which they were at present invested; but he wished, at the same time, that a greater degree of certainty should be attached to the decisions of the law. It appeared to him that crime could not be effectually checked, unless the punishment which it awarded was concurrent with the feelings and sentiments of the people. It was not by the threat of a sanguinary punishment that they could induce the people to abandon crime. In this enlightened age, the frowning aspect of a barbarous and bloody code, whatever might have been its effect formerly, had lost all its terrors. He would not trouble their Lordships by going through all the returns that had been laid on their Table; but, if they examined them, they would find the number of persons capitally punished so extremely small, compared with the number convicted, and if to this they added the variety of bills ignored—or, if the bills were found, the cases were not prosecuted, and thus not allowed to come before Judge or Jury, because they related to matters of too little importance to place the life of man in jeopardy,—if they looked to these points, they would perhaps agree with him, that in these particular cases, prosecutions would more generally take place if they limited, but rendered certain, the punishment, rather than encouraged the present system of law. Such had been the effect produced by the course pursued by that great statesman, Leopold, grand duke of Tuscany. He found, and it would ever be the case, that in proportion to the amount of punishment, and to the certainty of its infliction, whatever it might be, in that exact ratio crime went on gradually diminishing. Their Lordships would also find that good effects had been produced by the adoption of the same system, to a certain degree, in the North American States, in the Netherlands, and in France.

Lord *Wynford* was entirely of his noble and learned friend's opinion, that before they proceeded to legislate on this subject, they ought to have brought before them, and clearly defined, some proper system of secondary punishment. Much had been said about the system of secondary punishments in America, but he believed that it was no uncommon thing to see individuals, after having undergone secondary punishment there, wandering about, outcasts of society, and unable to procure employment. Was that, he would ask, desirable? Was such a course calculated to repress crime? He was of opinion, that in none but extreme cases the punishment of death should be inflicted. That punishment was just, where life was wantonly taken away, or where, in the abstraction of property, great personal violence was used. Except in cases of this description, he considered the infliction of death as bloody, barbarous, and unnecessary. But, as the law now stood, the prerogative of the Crown presented a shield against the undue infliction of the last penalty. They were called upon to alter the existing state of the law. But when, he demanded, were they to look for an efficient secondary punishment? Transportation was, at present, a secondary punishment; but transportation had no longer any terrors attached to it. It was rather an encouragement to crime, as had been repeatedly declared in evidence by gaolers and others, than a dissuasive from it. Indeed, he remembered going Circuit with the late Mr. Justice Holroyd, when a person was put on his trial for some robbery, and it clearly appeared that he had committed the robbery for the purpose of getting transported. The Judge, however, directed the Jury to acquit the prisoner, as it was clear he had not taken the property with a felonious intention, and the man was disappointed. At first, when a country was in a rude and unsettled state, and when much labour was to be performed by the convicts, transportation was certainly a severe punishment. But the circumstances were now entirely altered, and the terrors which were formerly connected with transportation had been wholly removed from our colonies. If such were the case, in what situation would they place this country by the passing of this Bill, when they left it without any secondary punishment that could have the effect of deterring men from the Commission of crime? We had not, and could not have, so efficient a preventive police as that which existed in some other countries; and therefore, it was necessary that our legal code should be more severe; and yet they had lately heard of a case in France, in which a man, by way of mitigation, was sentenced to fifteen years' hard labour. It unfortunately happened that the feelings of the people of this country were now running in favour of the criminal, but not for the protection of the poor man. All the sympathy was for the villain, and none was displayed for the poor honest man. This was, in his opinion, a morbid state of public feeling, to which the Legislature ought not to yield. He, therefore, should vote against the Bill.

The *Lord Chancellor* said, that considering the prominent part he had always taken on the subject now under consideration, when he had the honour of a seat in the other House of Parliament, he could not allow the discussion to close without briefly stating his sentiments. That this was a question of the greatest importance, as regarded the security of property, on which the security of everything else rested, and that it was a question interesting to every man of humane feeling, no one could deny: that it was a question surrounded with difficulties was equally clear; but, in his opinion, those difficulties should not prevent them from coming to the discussion of this matter calmly and temperately, with a desire to make such alterations as might be practicable and consistent with the security of property. He could not advert to this subject without congratulating their Lordships that the same exemplary moderation which had characterized the discussion of this subject in the other House was likely to attend its discussion by their Lordships. The consideration of the question had not been in the other House tainted by any degree of party spirit, and it was now certain, as was to have been expected indeed, that the same absence of party spirit would characterise the discussion of the question by their Lordships. He had listened with the greatest attention to what had fallen from his noble and learned friends, and particularly to what had fallen from his noble friend (Lord Eldon) on this subject; and if he believed that the punishment of death had the tendency to deter persons from the commission of those crimes, for which the law left it as a matter of discretion whether death should be inflicted or not, he should be disposed to continue the law as it now stood. With great respect for those amiable and respectable persons who held an opposite opinion, he did not see that there was any law, human or divine, which prevented men from taking away life for punishment. There was no general human law prohibiting the punishment of death, and he certainly knew of no divine law. There was certainly a text in the Holy Scripture, "Whosoever sheddeth man's blood, by man shall his blood be shed;" but, although this text in some degree commanded the shedding of blood in cases of murder, yet he could not admit that it prohibited the punishment of death for other crimes. Even when murder was committed, although it was an inexpiable crime against society, and inflicted the deepest injury on the family and friends of the deceased, yet it was not because of the magnitude of the offence, or its irremediable character, that society was justified in taking away the life of the criminal. The only justification for punishing the man convicted of murder with death was, that his execution might deter others from the commission of the crime for which he suffered; and, upon precisely the same principle, for the purpose of preventing the repetition of crime, they were justified in punishing other grave offences, as well as murder, with deprivation of life. Notwithstanding the doubts which some well-intentioned persons felt on this subject, for his own part he felt that the Legislature was perfectly justified in ordaining that the punishment of death should be inflicted, and the only question was, as to the efficacy of the punishment, which the law, in the cases alluded to, rather announced than inflicted. If he thought the announcement of capital punishment had a tendency to prevent those crimes, he, for one, should be a friend to the continuance of the law in its present state; but his objection was, that the law had so long threatened, and so long failed to inflict capital punishment in such cases, that the threat now operated, practically, as no threat at all. When their Lordships saw upon how small a number the extreme punishment of the law had been carried into execution, he thought they must agree with him, that the apprehension of capital punishment could not operate very strongly or extensively. In the year 1831, for instance, it appeared that 162 persons had capital sentences recorded against them for the crime of sheep-stealing, and of that number only one was executed. In the same year 125 persons were sentenced to capital punishment for horse-stealing, and in not one of these cases was the sentence carried into execution. For stealing to the value of 5*l.* in dwelling-houses, 100 persons were capitally sentenced; and in this case, as in that of the convictions for horse-stealing, not one was executed. Of 387 persons, therefore, who were capitally convicted, and against whom sentence of death was recorded, only one person was executed. For all offences against property in that year the total number of capital convictions was 1,108, and of those on only eleven persons was the sentence carried into execution. After all the chances which the criminal had, arising from the failure of the prosecution and conviction—even when convicted, and sentence of death had been recorded against him, it was yet a hundred chances to one in his favour that the punishment would not be carried into execution. He was rather inclined to agree with his noble and learned friends in what they had stated relative to the conduct of Jurors. He believed that Jurors did their duty in such cases, and that the difficulty did not lie with them. The great difficulty lay with prosecutors and witnesses, and more particularly with the former. He was satisfied that some persons declined to prosecute, feeling that in so doing they should save themselves from some expense, and great loss of time. He was equally confident, however, that many persons declined to prosecute because they conscientiously believed (and whether they were right or wrong in so doing he should not stop to argue) that the penal enactments of the law for offences against property went too far. That such a feeling existed, and operated in preventing prosecutions for the crime of forgery, no one could entertain a doubt. When he had the honour of a seat in the other House of Parliament, he presented a petition, signed by proprietors of no less than 214 country banks. There were 705 individuals belonging to those country banks who signed their names to the petition, besides a great many proprietors of London banks. The petition contained the sentiments of nearly 1,000 bankers on this subject, and that large body of bankers earnestly enjoined the Legislature to abolish capital punishment for the crime of forgery. They did not rest their prayer upon the ground of humanity—though the petition contained the signatures, doubtless, of many men as humane as any in this kingdom—but they put that ground aside as unnecessary, and called upon the Legislature to abolish capital punishment, upon the ordinary self-interested ground that, as the law now stood, it did not afford them protection for their property. And why did not the law afford them protection? They considered, because of its severity. They stated, that great scruples were felt as to prosecuting; but that even those who did not object to prosecute from any conscientious scruples, or any impression that the punishment was too great for the offence, abstained from prosecuting from the difficulty of obtaining a conviction. In fact, the severity of the law had outrun the feeling against the crime; and, much as it might be lamented, the fact appeared to be, that the feeling against the punishment was so strong and general as to render the law inoperative and ineffectual. But then it might be asked, why, if the small number of cases in which the sentence was executed rendered the law inoperative as to the criminal, did not the same reason render prosecutors willing to come forward? The reason was simply this: the criminal acted under a strong temptation, and calculated on his chances of escape, while the person who ought to prosecute reviewed the matter more calmly, and often felt unwilling to put it into the power of Juries to convict, or Judges to execute. Another illustration might be taken from the case of the Excise stamps. There had been many prosecutions for the forging of Excise stamps before 1806, but in that year the forging of them was made capital, and the prosecutions immediately diminished. Although it had been proved by a variety of cases, that a diminution of prosecutions had invariably followed the increase of the severity of the punishment, yet Parliament had always evinced an extraordinary reluctance to lighten the penalty exacted in cases which had been made capital. Sir Samuel Romilly, to whose unceasing and never-to-be-forgotten exertions for the improvement of the criminal code they were indebted for all that had yet been done, and for all that was ever contemplated—Sir Samuel Romilly had not lived to see any of his recommendations carried into effect, for he believed that the law which inflicted capital punishment for stealing in a bleaching-ground was not repealed until the year after that lamented man's death. It was a curious thing, and illustrative of the nature of capital punishments, that in the Province of Ulster, where, their Lordships knew, there were a greater number of bleaching-grounds than anywhere else in the three kingdoms, the total number of committals for the offence of stealing in a bleaching-ground, in the seven years before the repeal of the capital punishment, were sixty-one, and the convictions only three, or one in twenty; while, in the seven years after the repeal, the commitments were thirty-seven, and the convictions seventeen, or nearly one in two. Then again with respect to forgery. Previous to the alterations which had been introduced in 1820, in the punishment of forgery out of 787 prosecutions, there were 334 convictions, while there were but fifty-seven acquittals out of 558 cases that had occurred since the milder penalty had been adopted. This would appear, perhaps, stronger put thus:—The number of persons executed for the crime of forgery in the seven years ending 1830, was twenty-four out of 217 prosecutions—that is to say, from the reluctance of persons to capitally prosecute, and of Juries to find capital verdicts, and of Judges to enforce the strict severity of the law: to but one case in nine was the law rigidly applied; while the number of persons executed for the crime of murder during the same period was nine to one of the prosecutions; clearly showing that where the punishment is considered by the community at large to be disproportioned to the offence, the chances of acquittal are so magnified, that the law ceases to be efficacious as a preventive; and *vice versa*. This principle was illustrated by the state of the public mind at the passing of the statutes inflicting the capital punishment for the crimes of forgery and the stealing of cattle. The former was passed very soon after the Revolution—the latter in the middle of the reign of George 2nd; and so little was public opinion outraged by the severity of those statutes, that, till within the last thirty or forty years, it was a sort of proverb, "that a man who was convicted of forgery was sure to be hanged;" and, in point of fact, out of an annual average of thirty-eight convictions for forgery, during the thirty years that succeeded the Revolution, not less were followed up by the punishment of death. In the same manner, cattle and horse stealing, which was made a capital offence by the 14th of George 2nd, was for a long time punished invariably by a strict execution of the sentence. Formerly, indeed, it was almost proverbial, that a man found guilty of forgery would be executed; but now it was just as certain that he would not; and he put it, therefore, to their Lordships, whether, in this alteration of the feeling of the times, it would be for the security of property, and the due administration of justice, to permit the capital punishments to continue in the Statute-Book? Having said so much, he was bound to make one or two observations on a most important question—that of secondary punishments. He fully agreed with the noble and learned Lord, the Chief Justice of the King's Bench, that it was absolutely necessary to make secondary punishments much more efficient, and to increase the terror of them to offenders. By a due modification of the punishment of transportation, by rendering it more rigorous to all grave offences, and by taking away from any the hope of escape, he entertained a belief that secondary punishments might be rendered perfectly effective for that great object, the prevention of crime. It was stated, however, as an objection, that secondary punishments should be rendered more effectual, and placed on a better system, before they repealed the capital punishments. He would admit the force of the objection, if he was not prepared to give it this answer, that, as the severer law was never executed, secondary punishments, even in a deficient state, were all they had to rely on at the present moment. On the whole, therefore, he saw abundant reason for asking their Lordships to consent to the measure now proposed.

Lord *Suffield*, having already expressed his opinion on the Bill, would only make a few remarks on what had fallen from noble and learned Lords, and would begin with the observations of his noble and learned friend on the Woolsack, who appeared to him to have misconceived the religious scruples of those who were averse to prosecute in cases which might endanger the life of the culprit. His noble and learned friend supposed that such persons objected to capital punishment, except in cases of murder, or rather, limited their approbation of capital punishment to cases of murder upon one text in Scripture; namely, "that whosoever sheddeth man's blood, &c." But he had for years extensively communicated with persons who entertained objections to capital punishment on religious grounds; and he had never met with one who had maintained the doctrine mentioned by the noble and learned Lord. He had heard the matter argued thus:—"If you inflict the penalty of death upon the text of Scripture quoted, a part of the Mosaic law, in consistency with that law the penalty of death should be inflicted upon those who commit adultery; by what authority do you act upon a part, and not the whole, of that Mosaic law?" Such persons denied that the Mosaic law supplied the authority, for they said, our Saviour came to fulfil the law in its spirit, but to abrogate it in the letter; and, for an example, they cite the case narrated in Scripture of the woman taken in adultery, who, by the old law, was liable to the punishment of death, but the sentence was not executed. Another noble and learned Lord expressed a belief that he was misinformed with respect to the effect of corrective discipline in America. He knew that travellers passing hastily through a foreign country, without examining, and without having the means of examining, facts, were very apt to adopt foolish opinions, and to express them as rashly. Whether the noble Lord derived his information from these sources, he knew not; but he (Lord Suffield) had derived his information from men who had made the subject of criminal jurisprudence their study during the greater part of their lives. As to forgery, which, though the Bill had nothing to do with it, had been alluded to, he would mention a circumstance which had come to his knowledge within a few hours. A legal gentleman had to prosecute a person for having uttered a forged check. There were two indictments, the one charging the prisoner with having a forged check in his possession, knowing it to be forged; and the other with having uttered a forged check. The Grand Jury found a true bill against the prisoner for uttering the forged check, but threw out the bill which charged him with having a forged check in his possession. This was absolute nonsense; for, if he had not the forged check about him, he could not have uttered it. The reason which the Grand Jury afterwards assigned for their conduct was, that they were unwilling to subject the man to capital punishment. In another case, a friend of his had been robbed by his servant, and fully intended prosecuting him; in the mean time, however, he found out that the man had forged his name, in order to obtain goods from a tradesman. If he had caught the man, he would have been obliged to prosecute him for forgery; and, therefore, he abstained from proceeding against him altogether. He did not pretend to compete with the noble and learned Lords opposite in experience in the Courts of Law; but, within the circle of his own acquaintance, he knew repeated instances of persons forbearing to prosecute, on account of their aversion to capital punishment. The noble and learned Lord (Eldon) had eloquently and feelingly described the case of a poor man who would lose his all by having his cottage robbed to the amount of *5l.*; but, if the noble and learned Lord's argument were good for anything, it would go to this extent, that the law should be altered to greater severity; a man should be capitally punished for robbing another of *2l.*, or even of a single shilling, for that might be a poor man's whole wealth.

The Earl of *Suffolk* begged leave to remind the noble and learned Earl (the Earl of Eldon), who had been so pathetic on the subject of forgery, that that crime did not at all fall within the scope of the present Bill. He agreed with the learned Earl, that it was right and just to protect the cottage of the poor man equally with the palace of the rich, and that *5l.* or *3l.* might be a more irreparable loss to the former, than twice as many thousands to the rich man; but he would not therefore extend the punishment of death for robberies under *5l.*, because, among other reasons, he was confident that the poor man would not prosecute if he thought loss of life would follow conviction.

The House went into Committee *pro forma*.

Lord *Wynford* proposed, as an amendment on the clause which vested a "discretionary power" with the Judges, to order a prisoner convicted for offences specified in the Bill to be forthwith transported, that it should be "imperative" on the Judges to pronounce the sentence of transportation. As the clause stood, the Judges would not be compelled to pass the sentence of transportation. According as the law stood at present, however, sentence of death must either be passed or recorded. Their Lordships had decided that this should not be so in certain cases; and, he submitted, that it was necessary that the sentence of transportation, which had been substituted for death, should be passed. This might at first seem a point of no great importance, but, upon consideration, it would appear otherwise. If sentence of transportation be passed, it would be inflicted in all cases, except where, in the view of the Secretary of State for the Home Department—supported by the opinion of the Judges—it ought not to be carried into execution. The rule, therefore, would be, that the sentence would be carried into execution, unless where favourable circumstances be proved. He would also move, that the following words be inserted, "or to be imprisoned, with or without hard labour, in the common gaol, or house of correction, for any term not exceeding four years; and it shall be lawful for the Court to order that the offender shall be kept in solitary confinement for such portion or portions of his imprisonment as to the Court shall seem meet."

Lord *Dacre* did not object to the Amendments.

Amendments agreed to.—The House resumed.

HOUSE OF COMMONS,

Monday, June 25, 1832.

MINUTES.] Petitions presented. By Mr. HEYWOOD, from

Bury; and by Mr. HARVEY, from Colchester,—in favour of the Ministerial Plan of Education (Ireland).—By Sir EDMUND HAYES, from eight Places in Ireland; and by Viscount COLE, from Cleenish, against that Plan.—By Mr. MAXWELL, from an Orange Lodge,—against the Party Processions (Ireland) Bill.—By Mr. RUTHVEN, from Dublin, for two additional Members.—By Mr. HEYWOOD, from Salford;—by Mr. RUTHVEN, from the Bristol Political Union; and by Mr. MAURICE O'CONNELL, from Bath, and from Bethnal Green,—for a full and efficient Reform for Ireland.—By Mr. O'CONNELL, from seven Places, against Tithes; and from the North-Western Political Metropolitan Union, for Appropriating Church Property to the Wants of the State.

PRIVILEGES — JOURNALS OF THE HOUSE.] Mr. *Harvey* said, he was charged to present to the House a Petition which seemed to him to deserve more than ordinary attention. It was the petition of Charles Houghton Walker, an Attorney, whose conduct had been made, in no very measured terms, the subject of animadversion within those walls, by a learned and hon. Member, who revised the libel previous to its appearing in *The Mirror of Parliament*, for which Mr. Walker had brought his action last year, but was defeated, in consequence of that House having refused to allow the proper person to attend with the Journals in the Court of King's Bench at the trial, to prove that such a petition had been presented. That action having failed, the petitioner indicted the hon. and learned Member: a true bill was found by the Grand Jury, and the cause removed to the Court of King's Bench, which was set down for trial to-morrow morning. No time was, therefore, to be lost, and the petitioner came there by the advice of his Counsel—two hon. Members of that House—who had given it as their opinion, when consulting upon the evidence to be adduced at the trial, that the petitioner could not safely go into Court without the Journals of the House to prove that fact, stated in the prefatory part of the indictment—namely, that such a petition had been presented as that upon which the speech of the hon. and learned Member (Dr. Lushington), now indicted, was delivered. Hitherto the House had not acquiesced in such a proposition, or sanctioned it by any precedent on record; but he was induced to hope the House would see, that its privileges were only to be asserted in defence of, and for the preservation of, the liberty of the subject, and acquiesce in the prayer of the petitioner. He moved, That the proper officer attend with the Journals of the House in the Court of King's Bench to-morrow morning.

Mr. O'Connell seconded the Motion.

The *Speaker*: Before the House comes to any decision, I beg to acquaint the House with what steps I have been called on to take on this occasion. I received on Saturday, while in this House, a letter from the Solicitors of the parties, requesting that I would give directions to the proper officer to attend with the Journals—not with the petition, for of that nothing was said—in order that it might be proved in Court that such petition was presented to the House. The letter also stated, that it was important that no time should be lost, as the trial was to come on (I think) this day. It was necessary, therefore, that I should give an immediate answer. The answer that I gave was, that inasmuch as the production of the Journals, with a view to prove anything in a Court of Law, was a thing affecting the privileges of this House, I should take the same course which I had taken on a former occasion, while the House was sitting, and call on the parties to put the House in possession of facts, so that the step might not be taken without full sanction and authority. It is, perhaps, right that I should state, that in 1831 a petition was presented, praying that the petition to which the present application refers might be produced in a Court of Law; and the House, on that occasion, negatived the prayer of the petition. I also stated, in answer to the letter addressed to me on Saturday, that if any inconvenient delay occurred, it was not attributable to me, but to the parties themselves, who did not make the application till the Saturday, with the knowledge that the cause was to come on for trial on the Monday. These are the reasons for the course that I have pursued. I have already referred to the former case, on which the House has given a decision; and the application now is, to reverse that decision of the House, as far as the petition is concerned, and further, to grant that the Journals, showing how that petition was dealt with, may be produced in a Court of Law, with reference, therefore, not to the publication contained in *The Mirror of Parliament*, but to something that has passed in this House.

Mr. *Harvey*: The petition does not refer to the production of the other petition.

The *Speaker*: I applied myself to the Motion that has been made, which has reference both to the petition and to the Journals of the House.

Mr. *Harvey*: Then I beg leave to confine my Motion to the production of the Journals alone.

Lord *Althorp*: It appears that the only object for which the production of our Journals in a Court of Law is asked, is to prove something not stated in the proceedings of this House, but in a paper that professes to give reports of the proceedings of this House. It seems to me, however, that the only object for the production of our Journals is, that reference may be had to the words spoken by a Member of this House in debate; and it certainly is contrary to the Privileges of Parliament that what is spoken in this House should be in any way taken into consideration in a Court of Justice. Therefore, whether the question is for the petition or for the Journals, I think that we are bound, looking at our own privileges, to refuse this request. I certainly, however, speak with great doubt and hesitation on the subject; for I do not profess to be sufficiently conversant with the precedents in this instance; but it nevertheless occurs to me, that this ought to be the course for us to pursue.

Mr. *O'Connell:* I rather think that the noble Lord is under a misapprehension on a point of fact. It is certainly not necessary, and, indeed, it would not be allowed, that what a Member spoke in this House should be produced in evidence in a Court of Justice. But in an indictment it is necessary that certain introductory averments should be made, and in this case one of those averments is, that a petition was presented in this House; and it is merely with a view to the proving of that fact that the Journals are asked for, which fact it is absolutely necessary to prove. This, therefore, is not a circumstance which has any reference to liberty of speech in this House—it solely has reference to the dry business of the House; and if we prevent its being proved, by the only legal evidence that can be given, we shall be making a rule to the effect, that every fact proveable by the Journals of this House shall never find their way into a Court of Law. As an illustration in point, I may mention, that lately in Ireland it was necessary to prove the exact dates when a certain nobleman (who, at the time in question, was a Member of the Commons' House) was in Dublin; and for this purpose the Journals of the Irish House of Commons were admitted as evidence. It, therefore, seems to me, that the noble Lord is under a misapprehension of the legal effect of what is required, and of the ground on which that request has been made.

Lord *Althorp:* It is very possible that I may be under a misapprehension; but it appears to me, that in the case to which the hon. and learned Gentleman has referred, what was required was, something that was actually in the Journals themselves; and I see no objection to the Journals being produced, unless with reference to the point at issue. This matter, if a libel, is only a libel as having appeared in *The Mirror of Parliament*, and whether it was previously uttered in this House is of no importance whatever; therefore, I cannot see how it is essential to the justice of the case to prove that a certain petition was presented on a certain day. This being the case, it appears to me that the production of the Journals must have reference to what has taken place in this House, in which case, I think that we shall be rather trenching on our privileges if we allow an officer to attend with the Journals.

Mr. *Hume:* Having been the person who presented the former petition, I am able to state, that this complaint has arisen, not on what fell from me, but on what subsequently occurred in the debate. All that is now wanted is, the Journals to substantiate the proof of the presentation of the petition; and I certainly do not know why we are to stand in the way of justice being done between two parties. I am not aware that it will interfere with the privileges of Parliament, and, indeed, if I were, I would not press the matter any further on the attention of the House. I, therefore, trust that the noble Lord will not object to the production of the Journals as requested.

Sir *Robert Peel:* This certainly appears to me to be a question of great difficulty. This is an indictment for libel against *The Mirror of Parliament.*

Mr. *O'Connell:* No; against Dr. Lushington, for something that he has published in *The Mirror of Parliament.*

Sir *Robert Peel:* In that case, Dr. Lushington can claim no more protection than if he were altogether unconnected with this House; and, assuming that this case does not differ from others, then comes the question—are we not bound to do all in our power to facilitate the execution of justice? The House of Commons exercises a general superintendance over the Courts of Justice, and, on that principle, we surely ought to further the progress of the law, whenever we can do it without trenching on our own privileges. Then, supposing that the production of the Journals is necessary for the averment, is it not our duty to facilitate justice by allowing the production of the Journals?—and, connecting this chain of reasoning, I do not see how we can refuse to produce them. If, indeed, this was an indictment against a Member for what he had said in this House, then the case would be very different; but if this cannot be distinguished from an ordinary libel case, I do not see how we can refuse to comply with the prayer of the petition. But, at all events, I think that it ought to be unquestionably proved that the production of the Journals is absolutely necessary; and, therefore, I do not see why we ought not to appoint a Committee to search the Journals, and report on the precedents to the House.

Lord *Althorp:* I concur with the right hon. Gentleman that this is a case of considerable difficulty, and I must say, that I speak with diffidence on it, for my studies have not been very frequently directed to the Journals of the House. The production of our Journals, certainly, would not be a Breach of Privilege, if merely on that evidence the proof of a dry fact was to be established; but, at all events, we ought perfectly to ascertain the necessity of this evidence being produced; and I must again repeat, that I cannot understand why, in order to prove a libel in *The Mirror of Parliament*, it is necessary to produce the Journals of this House. I think the appointment of a Committee may be a very proper thing; but, before that is agreed to, I should like to hear your opinion, Sir, as to whether this is a case in which we ought to refuse the Journals or not.

The *Speaker:* The noble Lord having referred to me, I will state the view that I took of this subject when this application was made to me on Saturday. In the first place, I should not feel, whichever way the House decided, that this was a decision that the Journals of the House of Commons were never to be produced in a Court of Law, if they were wanted for the purposes of justice. Every case must be decided on its own merits; and whether the production is refused or not must entirely depend on how far each individual case interferes with the privileges of this House. Looking to this particular case, I did not feel it necessary to go more minutely into the investigation; first, because the Parliament was sitting, and the responsibility, therefore, did not rest on me; and further, because a very short time had been allowed for my answer. This libel, if it is a libel, is indictable because it has been published in *The Mirror of Parliament;* and it would not have been indictable if the speech which it purports to be, had been confined within these walls. The offence, therefore, is complete, by the publication of the paper; and the production of our Journals can have nothing to do with proving the publication of *The Mirror of Parliament*. If, therefore, the Journals are called for with reference to the libel, that will be carrying the libel one step further back than *The Mirror of Parliament*, and be introducing that which has taken place within the walls of Parliament itself. This, then, was the difficulty that I felt, and that I still feel. When it is stated that the Journals are necessary because the indictment wears a particular shape, I do not see, that because the introduction of such an averment has been deemed necessary for the drawing up of the indictment, it necessarily follows, that the proof of that averment is necessary to the forwarding of justice; because, for anything we know, an equally effectual indictment might have been drawn up in another way. But in addition to this, I was bound to remember that, in 1831, an application on this subject, though not exactly similar in its purport, was made to the House, which application the House, on consideration, negatived. These were the circumstances which convinced me that I ought, at all events, to leave the matter to the decision of the House; and as to how far the privileges of the House are involved in the production of the Journals, that must depend on how far that production is asked with a view of involving that which passed within these walls in discussion in the Court below; and if what did pass here is material to the case, the House, no doubt, will feel that they are not at liberty to give that furtherance to the prosecution which is requested.

Mr. *Harvey* admitted, that the Journals of the House were not to be produced as a matter of course, but the question here was, whether the production was essential to the course of justice. Now, he could say, that the party prosecuting had the advantage of the talents and advice of two learned Gentlemen who were Members of the House, who, after a conference, had stated as their opinion, that he could not go to trial, with a probability of success, without the production of these Journals. He should be glad to hear the hon. and learned Gentleman, the member for Stafford (Mr. John Campbell), on this point.

Mr. *O'Connell* said, that if the indictment was so drawn, the proof by this means was necessary; of course, if it had not been drawn with such an averment, no such proof would have been necessary. These averments, though in some cases not proved, were necessary to connect the sense or meaning of the indictment.

Mr. *John Campbell:* Being Counsel for the prosecution in this case, I had determined to abstain from all remark; but after the appeal that has been made to me, I have no difficulty in stating, that I believe it to be material to the interests of justice that the Journals of this House should be produced. In the indictment, there is an introductory averment, stating that a petition was presented to this House. That averment does not, in any way, touch any discussion that took place here. It is the averment of a dry fact; and the alleged libel having reference to the presentation of that petition, it may be material that the Journals should be produced. For my own part, I do not see how the privileges of the House can in any way be compromised, for the production of the Journals can tend to no inquiry as to what took place in the House. Allow me also, now that I am on my legs, to state, that at the last Sittings before Lord Tenterden, Mr. Bell attended and produced the Journals of the House showing, that in the reign of George 3rd, the Benchers of Gray's Inn petitioned to take Gray's Inn out of the parish of St. Andrew, Holborn. Evidence was also given of the progress of the bill brought in for that purpose, and surely the privileges of Parliament were not compromised by this.

Sir *Robert Peel* said, that it was very possible, and he could easily conceive, that as the indictment was now drawn, the non-production of the Journals might defeat the ends of justice. If, however, it could be shown that the averment was not necessary, or that it was a departure from the usual course of practice, he should pause before he gave his consent for the production of the Journals.

Mr. *Stanley* said, the hon. and learned Gentleman, the member for Stafford, had not stated the necessity of this averment, for on this the great difficulty arose. The hon. and learned Gentleman ought to have gone one step further beyond his statement that the production of the Journals was material, and have informed the House, that in order to maintain the indictment, it was absolutely necessary to introduce into it the averment which makes the production of the Journals necessary.

Mr. *Goulbnrn* thought, that something more was sought by the production of the Journals than had yet appeared to the House. He thought, after looking over the petition, that the parties sought to aggravate the libel which formed the subject of the indictment, by bringing evidence forward of a speech subsequently delivered in this House by Dr. Lushington, in which that hon. and learned Gentleman stated, in allusion to the former speech, that he would not retract one syllable of what he had before said. This was set forth in the petition now before the House.

Sir *Thomas Freemantle* thought, that as the House was still in doubt as to the necessity of the averment which required the production of the Journals, it would be satisfactory—at least it would be so to himself—to call the Solicitor or Counsel who prepared the indictment to the Bar of the House, and ask them the question whether or not such averment was necessary to support the indictment.

Mr. *Burge* considered it to be manifest, that no learned Counsel would introduce such an averment unless it was essential to the indictment, and according to the strict rules of pleading. As far as his own judgment went, he thought the averment was absolutely necessary.

Mr. *Slaney* would venture to assert, that many unnecessary averments were often introduced into indictments, and as the necessity of the averment in the present case had not been shown, the House was not called upon to consent to the production of its Journals. Supposing the averment in the present case had been introduced for the purpose of getting in that way at the subject matter of what had taken place in this House, he did not see how a line was to be drawn with regard to the production of the Journals, and he thought, that it would be a very dangerous precedent.

Mr. *J. L. Knight* concurred with the hon. Gentleman who had just sat down, and that averments might be introduced into indictments which it was unnecessary to prove. He apprehended the House was bound to require some evidence, that the production of the petition was necessary for the purpose of justice, before the House should acquiesce, or consent to it. It appeared to him that the existence of the petition did not at all affect the case, and nothing could be more improbable in his judgment, than that proof of the petition was at all necessary. He would vote against the production until he was satisfied that it was necessary for the ends of justice, and in his conscience he did not believe in the present instance that it was.

Mr. *Jones* said, that as the ends of justice would be defeated by the non-production of the Journals he should support the motion.

Sir *George Clerk* considered, that as it was sought by the production of the Journals to make out that Dr. Lushington had made some such speech as that alleged in the libel on the presentation of the petition in question, the production of the Journals could not be granted without involving the privileges of the House. It was impossible that the House could recognize the publication of *The Mirror of Parliament,* though it might connive at it, for the purpose of affording useful information to the public. The publication stood by itself, and if it was libellous, it was immaterial whether Dr. Lushington had made such a speech and afterwards corrected it. He should therefore vote against the prayer of the petition.

Mr. *Harvey* said, that the question was now narrowed simply to whether or not the averment was necessary to be introduced into the indictment, and he would rather not divide the House upon the motion at present. Although the indictment stood for trial to-morrow, yet he thought that if Counsel stated what had passed in the House to-day, he could not doubt, he repeated, that if what had transpired was communicated to the Court of King's Bench, the case would be postponed until the following morning: and he would suggest that the Counsel or solicitor who had drawn up the indictment should attend the House to-morrow for the purpose of stating, ay or no whether or not the averment was necessary. The House requested to be satisfied on this point, and he knew no other mode of informing the House. The House might sit until to-morrow morning hearing the opinions of lawyers without coming to any decision and would have as many opinions on the point as there were lawyers in the House. He should wish at some stage to divide the House, in order to show that the party had done all in his power to obtain this evidence, and thus the best secondary evidence might be let in, but he trusted the House would not oblige him to such a course.

Mr. *Courtenay* said, that even if the hon. and learned Gentleman, the member for Stafford, had stated, that the averment was unnecessary, his opinion on the prayer of the petition before the House would remain unchanged and with it he could not agree.

Mr. *John Campbell* said, that he was most anxious to be rightly understood. He did not offer any opinion as to the allegation contained in this averment being indispensably necessary. He had not drawn the indictment, and if he had, he certainly should not have included any such averment. On being appealed to by the hon. Gentleman, he said, that as the indictment now stood, it was very desirable that the Journals should be produced. It had been his resolution not to have taken part in this discussion; but by that appeal he was compelled to present himself before the House.

Sir *Matthew White Ridley* could not agree to the proposition of the hon. member for Colchester; for the production of the Journals to support the averment, which it now appeared was unnecessary, would bring the proceedings of this House under discussion in the Court below.

Mr. *Harvey* said, that after what had fallen from the hon. and learned Gentleman, the member for Stafford, he would beg leave to withdraw his motion.

Motion withdrawn, and petition ordered to lie upon the Table.

Parliamentary Reform—Bill for Ireland — Committee Third Day.] Mr. Stanley moved, that the House resolve itself into a Committee on the Reform of Parliament (Ireland) Bill.

House in Committee, on the first clause being read,

Mr. *Stanley* said, it would, perhaps, be more convenient for him to mention some alterations which he intended to propose, and to state the views which his Majesty's Government had taken on the subject. They thought it would be desirable to extend the 10*l.* franchise, which, by the present Bill, was confined to freeholders, and to give it to persons holding under a lease for twenty-one years, and occupying their holdings. In instituting a comparison between the qualifications in England and Ireland, he was bound to admit that under this arrangement the advantage would be in favour of Ireland. The qualification in England was higher, and the tenure longer but then he was bound to state to the House, that though his intended amendment would increase the number of 10*l.* voters, it would also greatly increase, he believed, the respectability of the voters. Under the Reform Bill it was quite clear that there would be created a numerous and respectable constituency in England, whilst that for Ireland was not perhaps sufficiently extensive. For this reason he should propose to give the franchise to leaseholders in Ireland of smaller amount and shorter terms than was at present proposed. In Ireland the amount of freehold as compared with the leasehold property was much inferior to what it was in England consequently the freehold qualification in the former country gave a constituency relatively inferior in extent to that which it afforded in England. It was thought that by extending the right of voting in Ireland to persons having a beneficial interest in land to the amount of 10*l.* annually, on a lease of twenty-one years, Ministers would be conferring a benefit on the agricultural interest, at the same time that they advantageously extended and rendered more respectable the county constituency. He acknowledged that they were in this case going considerably beyond the English right of voting, but taking into consideration the comparative value and amount of freehold and leasehold property in England and Ireland respectively, and feeling that the alteration would improve the Irish constituency, he thought it would be generally admitted, that they were justified in departing from the principle of the English Bill so far as they proposed, in lowering the leasehold qualification, and placing two interests, leasehold and freehold for twenty one years (the one without and the other with a life, in addition to the same yearly term) on an equality. He, therefore, proposed to extend the qualification to all persons being *bona fide* occupiers (as in the case of freeholds) for twenty-one years certain. He might be permitted to express a hope that, while extending the constituency in Ireland, they would be found to have adopted with that view a measure which would not tend to diminish but increase its respectability, at the same time that it presented an obstacle to the creation of fictitious votes, and placed the relation between landlord and tenant on a better footing than at present existed.

Mr. *O'Connell* must express his satisfaction at the proposed alteration, and was unwilling to quarrel with the details of the measure. But he must remind the right hon. Secretary, that, even with this alteration, there still existed no comparison between England and Ireland in point of elective franchise—England possessing advantages in its 40*s.* freeholders and copyholders, of which Ireland was destitute. However, he hailed the projected change with pleasure, and would take this opportunity of saying, that, if the right hon. Gentleman had said twenty, instead of twenty-one years, he would have very considerably increased the value of the amendment, and the extent of the constituency. This would be easily understood, when he stated that there were in Ireland 700,000 acres of land in the hands of the Church, independently of glebes, and 200,000 acres the property of the University, and that Church and College lands, which were never let for a longer period than twenty-one years, were not leased, in the first instance, by the corporation in question to the actual occupier. These corporations made leases at small rents, subject to periodical renewal fines, and their lessees relet the lands to other parties. But there were legal reasons why the original lessees could not make leases of twenty-one years, and, in point of fact, the actual occupiers generally held under fourteen year leases. Now, Parliament would increase the temptation to make leases of twenty years to the occupiers, if the alteration which he had suggested were adopted. The lengthening of the leases would be of great advantage, by giving the occupier a stronger interest in the property, at the same time that the change would beneficially extend the constituency, which must otherwise be contracted, so far as the occupiers of perhaps 1,200,000 or 1,400,000 acres were concerned.

Mr. *Stanley* begged to remind the hon. and learned Gentleman, that when, on a former occasion, the term of nineteen years was proposed, to meet the very case which he had just stated, it was argued that that term was not low enough, because the Church and Collegiate lands being usually sublet two or three times over, it would be useless to propose any term higher than fourteen years. Such having been the argument on a former occasion, he (Mr. Stanley) despaired of affording any satisfaction by reducing the term to twenty years.

Mr. *O'Connell* said, that the right hon. Gentleman had not understood him. Fourteen years was certainly the term to which he should like to have seen the qualification reduced, and it was his intention to have submitted a motion to that effect. He was, however, now prepared to abandon that intention, because he thought that, if the term were fixed at twenty years, it would be a temptation to the landlords to give longer leases. The greatest advantage that the Government could confer upon Ireland would be, to give to the occupying tenants a stronger interest in the land.

Sir *John Newport* did not see why the term proposed should be altered, merely to benefit the holders of Church and Collegiate lands. If the hon. and learned Gentleman's proposition were acceded to, it would tend to encourage the owners of that description of land to continue a system which experience had proved to be very injurious. On the other hand, the proposition of Government was calculated to induce them to let their land to *bona fide* tenants for twenty-one years. For his part, he thought that the alteration would be a most beneficial improvement to the Bill.

Mr. *O'Connell* had no overweening desire to protect the owners of Church and Collegiate lands. He was only anxious that the actual tenants of those lands should not be excluded from the franchise.

Sir *Robert Peel* said, that, as the right hon. Gentleman had stated one important alteration, he begged to ask, whether he would have any objection to state what others, if any, it was intended to propose.

Mr. *Stanley* said, it was not the intention of any member of his Majesty's Government to propose any other changes, except a short proviso, which would exclude from the operation of this Bill all honorary freemen who had been created such since the Bill had been introduced into the House. He had understood, also, from the noble Lord who represented Meath, that there were two or three copyholders in that county, and, as they were so few, he thought they ought to be included in the Bill.

Sir *Robert Peel* felt that this was a subject of very great importance to the agriculturists of Ireland, and as such required mature consideration. The Committee, he thought, were called upon to discuss this point without sufficient notice, and without sufficient information. He admitted that the creation of freeholders in Ireland had led to great abuses; but those abuses were not contemplated by those who proposed that measure. He should like to consider whether this new measure might not be equally perverted. He did not, however, give any opinion, nor, indeed, had he then the means of forming one. He should like to know the probable extent of voters which this measure would create, though he admitted that it would be most difficult to make any such calculation. He also wished to guard against giving leaseholders a predominance over the freeholders. If the numbers of 10*l.* freeholders were too great, perhaps an increase might be safely made from the substantial freeholders in fee. It was, however, said, that the state of Ireland was totally different from that of England; but the condition of Scotland, with respect to freeholds was somewhat similar to that of Ireland, and yet in the former country, a lease of sixty years was required, whilst twenty-one years' lease was considered sufficient to give that franchise in Ireland.

Mr. *Stanley* said, there was this difference, that occupation was required in Ireland.

Sir *Robert Peel* still felt that the subject had not been sufficiently considered.

Lord *Althorp* was desirous to create a respectable constituency in Ireland, and to afford every encouragement to the giving of leases to occupying tenants there, because he knew it would have a most beneficial effect. It was much easier to effect a fraudulent freehold for life, than to effect a fraudulent lease for a term of twenty-one years.

Mr. *Lefroy* contended, that the 10*l.* freeholders at present in Ireland were not fictitious, and if the noble Lord had been led to believe they were, he was in error. He was decidedly of opinion that the leasehold system would prove far more faulty, and more open to fraud, than the system of freehold franchise. He also thought that the number of voters would be diminished, instead of increased; for, if leases for twenty-one years were made the means of voting, if the holder of one of these leases died, the interest would be divided among his children, in which case no one would have a vote. He believed, too, that the reluctance of the Irish tenantry to register their votes—a reluctance which they felt, because they did not wish to admit their possession of such an interest—would be another cause of diminishing the number of voters. Much had been said, too, about the smallness of the freehold constituency in Ireland; but the fact was, that the freeholders were numerous enough, but they were not registered. The distractions in Ireland prevented the freeholders from registering.

Mr. *O'Connell* said, that the supposition of the hon. and learned Member, as to the estate being divided among the tenant's children at the death of the tenant, was only an additional reason for inserting the clause. If the holding of such an estate would enable the holder to vote, the tenant would make a will, and thus secure the passing of the estate into the hands of one person by whom the right of voting could be exercised. The clause, therefore, would have the advantage of inducing men to do what was prudent, viewed even as a private matter.

Mr. *O'Ferrall* thought the proposition of the right hon. Gentleman would add to the number and the respectability of the constituency of Ireland; and he should, therefore, give it his most cordial support.

Sir *Robert Bateson* said, with regard to this proposition, he hardly had time to form an opinion; but he must confess, that he should prefer the clause to fix twenty instead of twenty-one years, as there were many of the tenants of Church property, of high respectability, who held leases for twenty, but not for twenty-one years, and who were fully entitled to be admitted to the enjoyment of the franchise. With regard to the 10*l.* freeholds and the leaseholds, as to which afforded the purest qualification for the exercise of the elective franchise, he agreed with his learned friend (Mr. Lefroy). With respect to the extent of the freeholds at present, it was much greater than was supposed. He believed that a high franchise would be beneficial to tenants.

Mr. *James Grattan* rejoiced to hear the proposition which the right hon. Gentleman had made, and was convinced that it would improve the state of Ireland. He had no doubt that the giving the franchise to this class of tenants would induce them to keep up an interest of the required amount, and would thus perpetuate a respectable class of persons connected with the land.

Sir *John Newport* also strongly approved of the proposition.

Colonel *Perceval* should also support it, but he thought that the recommendation of the hon. Baronet near him ought to be adopted, that the term should be fixed at twenty instead of twenty-one years.

Mr. *Stanley* had no objection to make the change now required from twenty-one to twenty years, and as he had been accused of yielding to the hon. and learned member for Kerry, in granting this franchise at all, he now informed the hon. Baronet opposite, that the hon. Baronet might consider the present question of the twenty years as yielded to him, so that he must take one yielding as a compensation for the other.

Mr. *Ruthven* said, that as the right hon. Secretary had gone so far, perhaps he would go further, and make the term nineteen years, as it was known there were very many most respectable persons who held leases of that date.

Mr. *Stanley* did not feel that, because he had yielded twice, he should yield a third time, and he must, therefore, decidedly decline the recommendation of the hon. Member.

Several verbal amendments having been made, the first clause was agreed to, and ordered to stand part of the Bill.

On the second clause being read,

Mr. *O'Connell* said, that it was his intention to take the sense of the Committee on the clause relating to the 40*s.* franchise in fee, and to the 40*s.* franchise for three lives.

Mr. *Shaw* wished to know whether it was intended, by the clause under consideration, to make any alteration in the mode of registration, so as to prevent persons registering as *50l.* freeholders from voting after they might have ceased to be freeholders.

Mr. *Stanley* said, that it was his intention to regulate the mode of registration in such a way as to show at all times the real constituency.

Clause agreed to.

On clause 3 being read,

Mr. *Wallace* suggested an alteration in the verbal arrangement of the clause, in order to render it more distinct than was at present the case. The clause was framed for the purpose of preventing persons from having a vote as well for the county as for the town or borough in which the property might be situated; but it seemed to him that the clause was so worded as to preclude a person from voting at all in right of his property either in county or town.

Mr. *Stanley* said, the hon. Member had justly apprehended the motives which had led to the proposal of the clause, but it seemed as if he had not sufficiently weighed it in his mind, for the clause stood exactly as it did in the English Bill—clauses 24 and 25 of which had been copied for the purpose of the present Bill.

Mr. *O'Connell* observed, that the deprivation of the right of voting for town and county in one individual, had been originally proposed from motives of jealousy that the manufacturing would overpower the agricultural interest in that House. Now, as there was little or no manufacturing interest in Ireland, save and except Belfast, the same reasons for the deprivation did not exist; at the same time, he did not desire that the same property should confer the right of voting in borough and county, but that the person so possessed should have it in his power to elect which he should vote for.

Lord *Althorp* said, that the principle which prompted Ministers in preventing persons from possessing two votes was not, as the hon. and learned Member had stated, a desire to appease the jealousy of the agricultural interests, but what he had himself avowed to be a just principle, that, namely, of preventing any one from having two votes for the same property.

Clause agreed to, after several verbal amendments.

On clause 4 being read, extending the right of voting in cities, counties, and towns to 10*l.* freeholders,

Mr. *Lefroy* had an Amendment to move in this clause, the object of which was, to make a substantial and important change in the clause; but not to alter one jot of the principle on which his Majesty's Ministers meant to establish a constituency in the towns and boroughs of Ireland. The language used by the right hon. Gentleman, a short time since, was, that the object of his Majesty's Government was to found a constituency which should be respectable, sound, and independent. But the constituency this clause would establish in towns, would be neither sound, respectable nor independent; and if hon. Gentlemen would favour him with their attention he should be enabled to satisfy them that the result of the proposed qualification would be to establish a constituency that would be actually worse than the 40*s.* freeholders. The right hon. Secretary stated, that the Bill would not require a man to have a house from which he should derive a profit of one single farthing; he might hold it at a mere rack rent, and was not required to have a lease, but be a mere yearly tenant at a rent of 10*l.* It was not even required by the subsequent part of the clause that he should have paid the rent, for the words which would have rendered that payment necessary before the qualification could be complete were omitted. If the 40*s.* freeholders were an exceptionable constituency—if they were excluded from voting in cities, as they would be by the Bill—why was a mere occupier of a house at the annual rent of 10*l.*, holding from year to year at no profit, to be entitled to the franchise? If such a man was entitled to vote, on what principle was it that the 40*s.* freeholders were excluded? If the 40*s.* freeholders were excluded on the ground that they were opposed to the institutions of the country, or were not independent, the same objections were applicable to these voters, for there was not one argument urged in opposition to the 40*s.* freeholders to which this description of votes was not equally open. These voters must be of a most poor and wretched description. The total number of houses in cities was 53,143; and of this number only 29,316 would give a qualification to vote, so that there must be a vast number of wretched habitations occupied by persons not even equal to 40*s.* freeholders. Directions were given to the Commissioners who made this return, to state the number of thatched houses, but though the number was not stated, yet it was clear that there must be a considerable number of thatched houses, because, round all the great towns of Ireland, there was an enormous extent of suburb in which there were houses, with small portions of land attached to them, rented at 10*l.* a-year, or even, during the war, at 12*l.* This was the species of constituency which Ireland would have for these cities which had large agricultural districts belonging to them, and the wealthy occupiers of houses would be completely overpowered by this description of voters. Under these circumstances, he would suggest to the Committee, that, in order to have a respectable, independent, and sound constituency, there should be some qualification over and above the mere circumstance of occupying a house at the annual rent of 10*l.* If a man wished to become a voter, as the Bill stood, he had only to take a house at the rent of 10*l* a-year, for six months before the election; and he had no doubt that numerous small houses would be built upon mere speculation, for the purpose of letting votes by wholesale. If the 40*s.* freeholders had nothing beyond their freeholds to render them independent of the landlords, there was no doubt that the Legislature did right in abolishing them, because they were fictitious voters in the power of priests and agitating demagogues. What was there to take the constituency to be created now out of the hands of those persons? Would not the yearly tenant be as much in the power, and under the control of, his landlord as the 40*s.* freeholder? If it was a fair argument against the 40*s.* freeholder, that his poverty made him little better than the slave of his landlord, on what ground could tenants-at-will, who might be turned out at six months' notice, be considered a proper constituency, such as it was the object of his Majesty's Government to establish? The only ground on which the 40*s.* freeholders had been continued in cities was, that in cities there existed the power of making freemen *ad infinitum;* which, in conjunction with the absentee freemen, was a counterpoise to the mischief occasioned by the continuance of the 40*s.* freeholders. It was admitted that they were a disreputable species of constituency; but, unless they had been continued, the whole dominion of the cities and towns would have fallen into the hands of the Corporations. That ground of retaining them, however, ceased henceforward, for the right of making freemen was to be taken away, and the right of absentee freemen to vote was abolished by this Bill. It was said, that we ought to proceed upon analogous principles with respect to England and Ireland; but those who maintained this argument forgot that this Bill introduced a county constituency into reland which was not established in England, and that, on the other hand, in order to establish a respectable borough constituency in Ireland, qualifications must be introduced which were not necessary in England. The Amendment he proposed would make an important difference between the household voters in England and Ireland. It should be recollected that the 10*l.* householders in England were subject to the poor's-rate, and various assessments, which proved that the tenant was, to that extent, a man of substance. The case, however, was different in Ireland. In consequence of the great competition which existed there, a landlord could obtain offers to any amount, though the tenant had no ability to pay the rent. If the household franchise proposed by the Bill were carried into effect, it would produce more mischievous effects in Ireland than were occasioned by the 40*s.* freehold voters. Houses would be built on speculation, in order to create a mass of voters who must obey the dictates of their landlords, and the operation of the Bill would be, to transfer the franchise from freemen and substantial freeholders, to a miserable, dependant, degraded set of voters. The Bill, instead of being a boon to Ireland, would be the greatest aggravation of the evils resulting from the state of her constituency which had existed since 1793. Under these circumstances he should feel it his duty to press his Amendment, and to take the sense of the Committee upon it. He moved the insertion of the following words, "In which he shall have a beneficial interest of the clear value of 10*l.*, over and above all charges payable on the same, except Parliamentary taxes, Parish rates, and Church cesses."

Colonel *Conolly* supported the Amendment. His Majesty's Government was labouring under a mistake, if it supposed that persons holding houses in towns in Ireland, at 10*l.* rent, without leases, were of the same class as the 10*l.* householders in England. The latter might be respectable, while in Ireland they must be persons totally destitute. The operation of the clause must be, to open an inexhaustible source of corruption, which it was impossible to contemplate without pain. The original proposition would have the effect of stultifying former acts of the Legislature, and create a worse and lower degree of constituency than that of the 40*s.* franchise. Deprecating, as every one must, the 40*s.* votes, he could not remain silent while such a clause as the present was under consideration, without raising his voice, and endeavouring, if possible, to open the eyes of his Majesty's Government to the fatal consequences which must arise, if this portion of the Bill was carried into a law. He was not connected in any manner either with a borough, or with those who possessed borough influence, and he had grounds for complaining, that when his Majesty's Ministers talked of giving an equal measure of Reform to Ireland as that conferred upon England, they had taken the term without the reality, and adopted the measure for Ireland as if that country were similarly placed with England, when it was a notorious fact, that no analogy whatever existed between the description of voters in the two countries. In one case, they were decent; but, such would be the inducement held out by the Bill for letting tenements for the sake of creating fictitious votes, that the paupers in the suburbs of the town would be made to form the main constituency. Looking at the extraordinary extent to which intimidation had been carried in Ireland, and knowing that persons who had presumed to act independently at recent elections, were held up as objects of horror and detestation to the public—their names printed and placarded through the country, and exhibited as if they had forfeited all claims to the sympathy of their fellow-creatures, and were unfit to hold any communication with the rest of society; looking at these circumstances, he wished to prevent a recurrence of such scenes. But this could not be effectually done, unless the franchise, as at present proposed, should be altered. When he saw his Majesty's Government originating a great and boundless field of corruption, he should not be doing his duty were he not ready to expend his last breath in opposing an enactment which would have so dangerous and demoralizing a tendency. The wretched beings who would be the inmates of these miserable tenements, would be as open to intimidation and menace, and as guilty of perjury, as the 40*s.* freeholders whose franchise had been abolished. Every misconstruction to which it was possible to subject an oath, would be resorted to; and a mingled scene of fraud, venality, and perjury, would take place, which must tend more to deteriorate the lower classes of society, than any other plan which human ingenuity could devise. The franchise in boroughs, if this clause should be carried, might be increased to any extent. It would be only necessary to erect tenements in a field, or on a common, near the town, and the respectable part of the constituency would be completely over-ridden. The Bill would open again the full tide of agitation, which would proceed uninterruptedly, until it overturned the power of the law. The twenty boroughs which it professed to throw open, and which were originally created for the purpose of supporting the Protestant establishments of the country, would be by this clause as completely the nomination boroughs of the hon. and learned member for Kerry, as were Gatton and Sarum the nomination boroughs of any nobleman in the land. It was unfair that nomination boroughs should be put an end to in England, without any delinquency; while, by this measure, a constituency would be created, which would place the boroughs of Ireland in the hands of those who uniformly combined with agitators and demagogues, and whose objects were inimical to the interests of society, and subversive of the institutions of the empire. For these reasons, he should support the Amendment proposed by his hon. and learned friend.

Lord *Althorp* was certainly surprised at the very unfavourable description which the hon. and learned Member had given of the constituency for towns, which would be created by this Bill, because, if he remembered rightly, he, on a former occasion, stated that his constituency would be more respectable than that which was created in England under the English Reform Bill. Both the hon. and learned Member, and the hon. and gallant Member who seconded his Amendment, had argued as if they thought that the qualification of voters for counties and towns was the same; this, however, was not the principle on which the right of election proceeded. In towns, the franchise depended on household occupation; in counties, the right was dependant on the interest possessed by the voters. If the Amendment now proposed should be adopted, it would disfranchise many householders in towns. At the present moment, some of the best houses in the metropolis were let for more than their worth. Men in towns occupied houses, not for the sake of profit, but for the convenience of living in them. The only reason why the franchise was limited to houses of a certain value was, that it served as a criterion of the respectability and independence of the persons who occupied them. The hon. and learned Member had, throughout his speech assumed that the right of voting would depend upon the amount of rent paid; this, however, was not the case, for the right of voting would depend upon the value of the house. Unless it be proved that a house be *bona fide* worth 10*l.*, no person residing in it would possess a vote. By adopting the Amendment, the Committee would disqualify every man whose landlord might obtain for his house more than it was worth. He entertained no apprehension of the danger which the hon. and learned Member had foretold. The same dangers were predicted when the English Bill was under discussion, and yet the hon. and learned Member now said, that they had adopted a very respectable constituency for England; and he expected shortly to be told the same thing with respect to Ireland.

Mr. *Shaw* said, the constituency to be established by this Bill would be more dependant and liable to be perverted to bad purposes than the 40*s.* freeholders. The number of houses of the value of 10*l.* in towns in Ireland was much greater than the noble Lord anticipated. When the last return was made respecting the city of Dublin, houses were valued with reference to the amount of taxation. With the view of favouring the tenants, the lowest valuation was fixed on the houses; now, however, the circumstances being different, the highest value would be given to them. He was sure that there would be 20,000 voters in the city of Dublin; and how was it possible to apply the machinery of this Bill to so large a body?

The Committee divided on the Amendment:—Ayes 26; Noes 152—Majority 126.

The clause agreed to.

The House resumed—Committee to sit again.

Party Processions (Ireland.)] Mr. Stanley moved the Order of the Day for the House resolving itself into Committee of the whole House on the Party Processions (Ireland) Bill.

On the question that the Speaker leave the Chair,

Mr. *Lefroy* said, he hoped that the deep importance of this subject to the peace of Ireland, and to the loyal and well-affected portion of his Majesty's subjects in that country, would induce hon. Members to allow him to point out the improper nature of the provisions of this Bill. It was clear that the provisions of this Bill were directed against a certain portion only of his Majesty's Irish subjects. He was aware that the right hon. Gentleman had disclaimed the influence of party feeling; but the most ordinary observer must perceive, that the Bill was intended to prevent the party processions of Orangemen in Ireland. The Bill enacted that it should be illegal for any person to join in a procession for the purpose of commemorating any festival or anniversary of a political event connected with religious distinctions, at which processions badges should be worn and music played. No man acquainted with Orange processions could doubt that this description applied exclusively to them. He opposed the Bill, then, because it was a partial measure, levelled against the most loyal portion of his Majesty's subjects. At the same time he declared, that he should be heartily glad if they were discontinued, with the consent and good will of the Orangemen; but the attempt to suppress them by the rigorous enactments of this Bill would produce the very evil which the measure professed to obviate. The Bill made it a misdemeanor for persons to attend processions for the purpose of celebrating festivals on anniversaries connected with political events or religious distinctions. Did the right hon. Gentleman recollect how many of these festivals were appointed by law to be observed? Did he mean to expunge from the Litany the form of service appointed for some of these anniversaries and festivals commemorating political events, and connected with religious distinctions? He was old enough to remember when these commemorations were sanctioned by the Government of Ireland; when the two Houses of Parliament and the Lord Lieutenant of Ireland formed part of the procession round the statue of King William, decorated with all the insignia which were now reprobated as the marks of party spirit; in short, he could remember when the Government of Ireland took an active and leading part in these processions. Although Government had given up that proceeding, was it to be supposed that, all of a sudden, men of inferior rank in life, who had not been so educated as to be able to cast away their ancient attachments and feelings, with that facility with which the Government cast them away—was it to be supposed that the lower classes should be prepared to give up suddenly all their long-conceived prejudices, all their early attachments, to the commemoration of great and national events connected with the civil history of their country? and, if they did not suddenly resign all their old attachments, were they, therefore, to be deemed fit objects for coercion? The Orangemen of Ireland were a most respectable and loyal body, attached to the Government and institutions of the country, and ever, in the hour of danger, arrayed on their side. If such were the character of those against whom this Bill was levelled, they ought to be dealt with a little more feelingly; their attachments and prejudices should be respected, and the right hon. Gentleman should act towards them with more patience than his conduct on this occasion displayed. The course pursued by the right hon. Gentleman had tended, from a principle of independence inherent in human nature, to revive these Associations with all their acrimony and party spirit, and to multiply Orange Societies. The right hon. Gentleman could not light upon a measure more mischievous and more injurious to Ireland than this Bill. And what was the period which the right hon. Gentleman had chosen for bringing it forward? Just at the time when these processions annually take place—at the moment when men's minds were made up to act—that was the period which the right hon. Gentleman selected for bringing in this Bill. He brought it forward at the very moment when the feelings of the people were most opposed to it; and without any previous notice, he told them—"You shall not assemble—I will bring in a law by which you shall be put down, although true it is, that for a century and a half you have hitherto been permitted to form your processions; and although true it is, those processions have never by any Government been denounced or declared contrary to the law, but up to the present moment have been admitted as legal and authorized and sanctioned by every succeeding Government." Notwithstanding this admission of their legality, the people were now to be suddenly called upon, under severe penalties, immediately to relinquish these processions. He was persuaded, that if a different appeal had been made to this loyal and respectable portion of his Majesty's subjects, it would have had a better effect than this Bill. The right hon. Gentleman knew that a great body of the physical force of Ireland was arrayed against the law—that there was a well-concerted and deeply-laid conspiracy, which had already destroyed the property of the Church —which openly defied the law—and which had taken possession of several counties, where the gentry felt themselves no longer the possessors of property, but the mere tenants-at-will of those who, in open day, carried on acts of rebellion against the Government. Watch-towers were erected to carry on communications from hill to hill, in order to summon simultaneous meetings of these numerous and hostile conspirators, and was it wise, was it politic, under such circumstances by such a measure as this, to strengthen the array against the Government, by driving those persons who now constituted the only loyal portion of his Majesty's subjects in that country to form a junction with the open and declared enemies of the law? From his heart and soul he deplored that such a measure should have been resorted to, and he implored the right hon. Gentleman to suspend his course otherwise the whole nation would be involved in the greatest calamities. Another great question pending in Ireland was the Repeal of the Union. They had been told by the hon. and learned member for Kerry, that a British Legislature was utterly incompetent to legislate for Ireland. Was it, then, expedient for his Majesty's Ministers to force into the arms of the great advocate for a Repeal of the Union, the Orangemen of Ireland? But such would be the inevitable consequence of thus thwarting the prejudices, and embittering the feelings of men who had ever been allied to the Government of the country. Treated as those men had been by his Majesty's Ministers, they would be driven into the ranks of those whose object was the Repeal of the Union, and would effect the ultimate dismemberment of the British empire. He should be wanting in integrity and common honesty, if he did not announce this consequence to his Majesty's Government, and implore it to desist. It was said, that these processions gave offence to Roman Catholics. It was but the other night, however, that the hon. and learned member for Kerry declared that they did not give any offence, and why should they? They were to commemorate the acquisition of liberties which it was the glory and happiness of that portion of his Majesty's subjects now to share? The processions did not originate in a desire of giving offence to the Roman Catholics: they went on for a century, without exciting the slightest objection on the part of the Roman Catholics; and the Roman Catholics themselves formerly joined in the processions. But, it was said, that these processions had been attended with bloodshed. He challenged the right hon. Gentleman to produce one tittle of evidence, that bloodshed was the result of Orange processions, unless the persons present at them were attacked by an illegal force. He called upon the right hon. Gentleman to say, why he should legislate in favour of the prejudices of those who produced the mischief and not in favour of those who were assailed. He challenged the right hon. Gentleman to prove that Orangemen had ever, in a single instance, attacked the Roman Catholics, though, when attacked by the Roman Catholics, they had resisted, and bloodshed had been the result. Because men walking in procession, as they had a legal right to do, had defended themselves when illegally attacked, was their conduct in self-defence to be declared illegal. Bring in, he said, an Act of Parliament against those who made the attack, and he would support it; legislate against the oppressors and not the oppressed. That would be honesty and justice; but the Bill was a measure of gross injustice. If they were to legislate against all assemblies and combinations of men, let the right hon. Gentleman legislate against those combinations which had evaded the law, and could not be grappled with; let him legislate against those meetings and masses of men, who by the use of terror had almost destroyed the property of the Church in Ireland. Let the right hon. Gentleman legislate against the Political Unions; against those bodies the existence of which his Majesty's Prime Minister had declared to be inconsistent with all good Government—which met openly and in the face of day to discuss whether we should have an hereditary Legislature; and which assembled with badges, banners, and tri-coloured flags. Did the right hon. Gentleman ever hear of Orangemen making or listening to seditious speeches, and then going forth with their blood boiling, and bearing the emblems of rebellion against his Majesty? Whilst the violators of the public peace—whilst disloyal and seditious subjects were allowed to go on without control in their outrageous course—it was most partial and unjust to legislate against the loyal and patriotic Orangemen. He was not a member of their body; he was neither advocating their interests, nor vindicating their conduct, as a partizan, but he was advocating the cause of justice and of a large respectable and loyal portion of his Majesty's subjects. But it was said, that these meetings hurt the feelings of the Roman Catholics, because they were connected with religious and political distinctions, and, therefore, they must be put an end to. But were all anniversaries and commemorations of political events to be given up, because it might happen that a portion of the people might unreasonably take offence at them? Was the commemoration of the martyrdom of the first Charles to be given up, because it might be disagreeable to the regicides of the present day? Was the restoration of the second Charles to be no longer commemorated, because it might not please republicans and levellers? Perhaps a Bill would be brought in to prevent the commemoration of the battle of Waterloo, because the illustrious chief under whose auspices that victory was achieved had become unpopular. And that illustrious person would be prohibited from driving into the city on the 18th of June, lest he should hurt the feelings, excite the passions, or affront the prejudices of a portion of the people. He could not allude to that event, without expressing his reprobation of the base and cowardly, and unworthy insult offered to that illustrious chief—an insult which, but that those who inflicted it were unworthy to be accounted part of the British nation, would have brought upon it an indelible stain. He supposed in deference to the feelings, and in consideration of the opinions of that portion of his Majesty's subjects forming the Political Unions they were not to have, in future, any event commemorated which it might happen that those persons might not approve. A portion of the Bill, that clause which made it an offence to assemble at those meetings with arms was not objectionable; but it was wholly unnecessary, because to meet with arms would be an offence at Common Law. All the rest of the Bill making it a misdemeanour to meet unarmed, and to wear badges, which, surely were not more offensive to his Majesty's Government than tri-coloured flags, was partial, unprecedented, and unjust. He, therefore felt it his duty to offer the utmost resistance to it, and he should move, as an amendment, that the House resolve itself into a Committee that day six months.

Colonel *Perceval* seconded the Motion on the result of which the peace of Ireland would depend. This unfortunate and ill-advised measure, of his Majesty's Government had created such heart-burning in Ireland, and such an hostility against the British connexion, as he had hoped would never have existed. He too had hoped that his Majesty's Government would never have offered such an outrageous and gratuitous insult as this most partial and most obnoxious measure to all the Protestants of Ireland. But everything respectable in Ireland was likely to be treated in the same way; for neglect and contempt were the creed of his Majesty's Government in all cases where the good of Ireland, its welfare, and its internal prosperity were concerned. Day by day he received letters stating, that on one estate men assembled to the number of 20,000 and even 40,000, knit and bound together as one man, not like the Orangemen to protect the property and institutions of the country, but by an oath to put down tithes, and destroy the landed proprietors; yes, to exterminate, for such was part of the Whiteboy's oath—to exterminate the Protestants of Ireland and drive them out of the country. Let his Majesty's Government first put down and disperse these bands of rebels, and then Orange processions would of themselves be discontinued. Let Government do its duty and prevent the assassinations and murders which were perpetrated, not in the night but by open day, and then, and not till then, ought they to call for the support of the Protestants of Ireland, to put an end, as far as they could, to all party-feeling in Ireland, and which he was confident they would all assist in doing as one man. But the course which Government had pursued was calculated to alienate that great and loyal portion of the people of Ireland, and make them disposed to join in effecting that object which had been avowed by the hon. and learned Gentleman—the Repeal of the Union: and as that hon. and learned Gentleman advocated the cause of the Orangemen and opposed the Bill with all his power, his object undoubtedly was to promote that present darling of his ambition. Much as he lamented the line of conduct pursued by Government, he hoped that Orangemen would remain steady in their attachment to the union of the two countries; and would not suffer any despotic attempt on the part of Government, forcing a measure through the two Houses of Parliament in the shortest space of time—levelled at them, and intended to put them down—whilst that Government had encouraged those opposed to them, he hoped, notwithstanding these insults and outrages that the Orangemen would never take refuge in the arms of the advocates of a Repeal of the Union. His Majesty's Government might think that this Bill would be received as a boon by the Roman Catholics; but his Roman Catholic fellow-countrymen—not the Whiteboys, for millions of Roman Catholics detested the Whiteboys—but that great portion of his Majesty's Roman Catholic subjects who obeyed and respected the laws would spurn at this attempt to gain popularity—and feel it an insult to them to suppose that they could be conciliated by this most ill-advised, crude, disgraceful, unjust, partial act of Government, levelled at the forthcoming Orange processions. The Bill said, "From and after the commencement of this Act any body of persons met together for the purpose of celebrating any festival shall, &c."—good God, did the right hon. Gentleman mean that in Ireland it should not be lawful for persons to meet together to celebrate any event? Every marriage ceremony in Ireland was an occasion for processions and multitudinous assemblages. The crowning of the king and queen of Dorking in Dublin was a festival in which processions and music, and all the paraphernalia of a mock coronation were displayed, and followed by a *feu de joie.* In other processions flags and banners were displayed, with mottos, such as "O'Connell for ever," and the "Repeal of the Union," and particularly at the Oyster Festivity. These festivals were annually celebrated, and the processions passed through the leading streets of Dublin—were all these to be suppressed by this Bill? At Cork was such a festival as the annual inauguration of the Mayor of Kilmarnock to be put down? Did Ministers mean to prevent the celebration of St. Patrick's day on the 17th of March, when processions took place all over Ireland. If he was not misinformed, members of his Majesty's Government had been present with the shillelah in the one hand and the shamrock in the other, to cheer on these processions. Unless this Bill was for a general abolition of all processions, it was most obvious, that the Bill was levelled only at the processions of Orangemen, to be held on the 12th of July next. On the 25th of June, they were discussing the Bill, and yet it was to be law, and come into operation on the 12th of July. Months were passed in legislating on the subject of disfranchising Old Sarum, as had been said, and yet, for this insulting object, they were called upon to legislate with most unbecoming rapidity And how did this indecent haste contrast with the conduct of Government towards those illegal meetings, where murder had been committed with impunity in open day. What, for instance, took place at Castle Comer? There the men assembled were allowed to march through the opened lines of soldiers with impunity—and for what? To attack the property of the country secured by law, and when those who were paid to support the law encouraged the violation. When the right hon. Gentleman announced his intention to introduce this atrocious measure he was much astonished, for in the county which he had the honour to represent, the resident gentry, by kindness and persuasion, had succeeded in putting an end to Orange processions, though formerly those processions were so numerous as to extend over the whole of the county town. But by this aggression pointed directly against the only party in Ireland to which Government could look for support—those processions would be revived and those wounds which were almost healed up, would be opened afresh. The Bill would alienate the Orangemen from the Government; and although he should endeavour to keep them in that peaceable course from which he hoped they would never swerve, yet he feared that they would consider themselves so insulted and outraged that they would seek for means to evade this iniquitous enactment. Government had enough on their hands—quite enough—to occupy them after the prorogation of Parliament, and it ought not to increase its own business and add to its trouble. The right hon. Gentleman had enemies enough without bringing on his back the Orangemen of Ireland also. Let him, before he provoked their hostility, do his duty to the country. Let him put down the rebellion which was raging in Ireland. Let the Government make itself respected, and he would find no difficulty in quieting the Orangemen. The Orange processions were now more numerous than ever; and who had been the cause of this? The right hon. Gentleman himself. The Orangemen were determined, if they could do it by law, to exhibit all their force. It was not, however, for aggression that they meant to assemble; but they were determined to show his Majesty's Government that there was still a physical force of Protestants in Ireland; and that their enemies would not find it an easy matter to exterminate them. He trusted that the display of their power would not be attended with any breach of the law, nor any shedding of blood; but that it would operate as an encouragement to those Protestants who, desirous of avoiding the prospects now before them, either timidly withdrew from their country altogether, or, as another alternative, were prepared to throw themselves into the arms of the repealers. Let him, however, inform the right hon. Gentleman that it was a prevailing opinion that the Repeal of the Union was not the only object aimed at, but an entire separation of Ireland from this country; and when that should be effected, there was a Leopold at hand. Such a course, he believed, was in contemplation; and as soon as the Repeal should be carried, a much greater and more formidable agitation, for the purpose of promoting that ulterior measure, would begin, He hoped that the right hon. Secretary would be compelled to withdraw a measure which was equally obnoxious and unjust.

Mr. *Stanley* was not disposed to complain of the length at which the hon. member for Sligo had addressed the House, because he thought that, if any one proof more conclusive than another could be adduced to show the necessity of the proposed measure, it might be found in the speech that hon. Member had addressed to the House. The combination between the Protestant member for Sligo, and the Catholic member for Kerry, was an extraordinary circumstance, and he must say, their combination led him to anticipate more benefit from the Bill than if it had not met the fierce hostility of both the extreme parties. The hon. and learned member for the University of Dublin had given his opinion, that the Bill was calculated to point out the processions it was intended to put down. The hon. member for Sligo, as well as the hon. Gentleman who had moved the Amendment, had shown that the Bill was directed against Orange lodges and Orange parties alone. If that were so, it was because the Orange lodges and Orange parties alone persevered up to the present moment, in endeavouring to keep alive that spirit of religious animosity which had led to so many sanguinary and fatal consequences in Ireland—a spirit which it had been the hope of the former Government—which it had been the hope of the present Government—would have been put an end to by the measure which had been passed for the relief of the Roman Catholics of that country. The hon. Gentleman, among other arguments which he adduced to prove that the measure now proposed was unnecessary and uncalled for, stated that to his knowledge Orange processions were gradually declining in Ireland. If, indeed, processions of that description were on the decline, how did it happen that the hon. Gentleman could take upon himself to assert, that the Orangemen were determined to collect on the 4th, and make a demonstration of their force, for the purpose not only of insulting their Roman Catholic fellow-citizens, but also of overawing the administration of the law? [Colonel *Perceval*—" No, no."] The hon. Gentleman certainly said, that it was the determination of the Orangemen to make a demonstration of physical force. He (Mr. Stanley) should have been glad if the party spirit, party meetings, and party processions, had subsided of themselves. He had entertained a hope that they would have done so; but in that hope he had been disappointed, and as experience proved, that they were increasing rather than diminishing, it became absolutely necessary that some decided act of the Legislature should be passed, to compel their discontinuance. By the official reports which had been received from various parts of Ireland, particularly from the province of Ulster, it appeared that during the years 1830 and 1831—the years in which it might most reasonably have been expected that these meetings and processions would have diminished, if not totally subsided—the Orangemen had assembled, and formed processions in greater numbers, and in a spirit of greater defiance to the Government and to their political adversaries, than on any preceding occasion. Indeed, the first letter that he received after his appointment was one conveying intelligence of the wrecking of a whole village in Armagh, in consequence of a procession of Orangemen, who appeared with party badges and party colours, marching to a party tune, for the purpose, and with the intent, of wantonly insulting their Roman Catholic fellow countrymen. The hon. Gentleman said, that Orangemen never shoot the Roman Catholics on those occasions, unless they are first attacked: that might be very true; indeed, he took it for granted that it was so, for it was impossible to conceive any country so sunk in brutality that bands of men should go through the country, and, without any provocation or previous insult, shoot the first person they met with. But the hon. Gentleman would not tell him, that if parties, prepared and armed for mischief, paraded through the country using every means to insult and exasperate a large body of the population, so as to provoke a large portion of the community to make an attack, and that, in repelling that attack, bloodshed and murder should ensue—he would not tell him, that the party first offering the insult was not the cause? But, if he should be of that opinion, perhaps the hon. Member would pay much more respect to two opinions of an eminent Judge in Ireland than to anything he could say. He would refer the hon. Member to two charges delivered, the one to the Jury of the county of Armagh, in 1829, and the other to the jury of the county of Donegal, in 1830, by Judge Jebb (who was not likely to be partial to the Catholics), and, particularly, he begged to call the attention of the hon. and learned Gentleman—the *laudator temporis acti*—the lamenter of times gone by, never to come again—to what Judge Jebb said with regard to the law relating to these processions as they existed now and as they existed in former times. In the first place, he said, that those processions were not in themselves unlawful; that, at a former period, all classes cordially joined together publicly to celebrate the historical events they were intended to commemorate; and that there was nothing unlawful in this. But circumstances had since then occurred; which, together with the present aspect of the times, rendered it necessary that prudence should be consulted. 'My opinion is,' said Judge Jebb, 'that the mere act of 'publicly celebrating a political event is 'not unlawful; but if a tendency to create 'riot, or breach of the peace result from it, 'then, indeed, it becomes unlawful.' But who, was to be the Judge of the tendency of these meetings to create riot, or of their tendency to a breach of the peace; and upon whose opinion and whose feelings were these processions to be deemed unlawful? In 1830, Judge Jebb laid down this doctrine:—'These meetings are in them-'selves lawful; but although these meetings 'or assemblies which in themselves without 'reference to the condition of the country, 'are lawful, yet they will become unlawful, 'if they are likely to tend to a breach of 'the peace. Although, therefore, the par-'ties themselves may act lawfully, with 'reference to the assembling together to 'celebrate a political event, yet, if another 'portion of the community considers that 'what is the ostensible is not the real pur-'pose for which the meeting was formed, 'but that the meeting was for the purpose 'of insulting them, and of irritating their 'minds, then the object of the meeting is 'changed, and the meeting itself becomes 'unlawful.' The legality or illegality of these processions, then, broadly laid down by Judge Jebb, depended not upon the intention of the parties celebrating these events—not upon their *bona fide* intention to celebrate a legal event in a legal manner—but upon the impression which these meetings produced upon the minds of others, and upon their conviction that the real object of the meetings was to insult their feelings and excite their animosity. That was a sound legal opinion; but it placed the Magistrates of Ireland in a situation of peculiar difficulty in deciding as to whether they should or should not be justified in prohibiting meetings of this description. Judge Jebb proceeded to say to the Jury, 'If you consider this meeting to be for the 'purpose of celebrating the new year, and 'that the Roman Catholics considered it 'was for the purpose of insulting them, then 'it would according to my opinion, be your 'duty to find the parties guilty.' Gentlemen on the other side might say—"if this be the law, there is no necessity for any new enactment." To that he answered, the necessity arose from the difficulty and delicacy of the situation in which the Magistrates might be placed; and that it was not less for the protection of the Magistrates than for that of the peaceable and well-disposed portion of his Majesty's subjects, that the Legislature should interpose, and enact that the nature and intention of these processions were such as, in the judgment of the Legislature constituted an illegal proceeding, and rendered the parties who attended them liable to be punished as for a misdemeanor. The hon. Gentleman asked whether it was the intention of the Government to debar the people from celebrating festivals which were enjoined by the Church? His answer to that question was, that it was not necessary to attend at the Church, to celebrate a festival which that Church enjoined, with loaded muskets, with Orange badges—and with Orange flags, exhibited with an air of triumph and insult to the Roman Catholics. The present Bill prohibited no man from celebrating a festival, provided he did so without any manifestation of party spirit. The Bill would not interfere with any of the ordinary and peaceful processions of the people. The Dorking Queen might be crowned as usual at Dublin. The Bill was confined to religious processions calculated to excite irritation in other classes of the people. When the hon. Gentleman talked of those processions as religious festivals, commemorating a religious ceremony, he begged leave to ask, if the Liturgy prescribed the attendance of the Protestants at church with loaded muskets and party banners, and Orange badges, to excite the triumphal pride of one party and the indignant remembrances of defeat in the other? The Bill was strictly confined to processions calculated to excite religious animosity. It would prohibit no body of men from proceeding together to their Church provided they did so without the accompaniments of muskets, flags, and badges. The hon. Gentleman had asked why, before the present Bill was proposed, the Government did not proceed against the Political Unions in Ireland. If the hon. Gentleman would furnish him (Mr. Stanley) with proof of the illegality of those Unions, he would find him as ready to proceed against them as he or any other hon. Member could be. With regard to those Unions, his (Mr. Stanley's) opinion was now, as it had always been, that they were dangerous to the peace and to the internal Government of the country; but, at the same time, he believed that the best course of proceeding towards them, in the absence of every proof of their illegality, would be, to leave them to dissolve themselves. The hon. Gentleman asked, why not pursue the same course with respect to the Orange processions? His (Mr. Stanley's) reply to that was, that they had already attempted that remedy, and completely failed in it. Experience told them that Orange associations were not to be dissolved except by the strong arm of the law, that Orange parties would not voluntarily dissolve themselves; and that the Orange gentry would not exert themselves to procure that desirable end. That being the case, the object of the Government now was to put an end to all doubt upon the subject, and to declare by a positive enactment, that all meetings and processions such as had been described should for the future be deemed illegal, as dangerous to the public peace. The hon. Gentleman had spoken of the loyalty of the Orangemen of Ireland. He (Mr. Stanley) would put that loyalty to the test. Let a positive declaration of the Legislature be made—let the Act then proposed be passed—and then let it be seen whether that great and loyal party would be ready to obey the law when there could be no doubt as to what the meaning and intention of that law was —let it then be proved that these Orangemen were not indeed the blind and bigoted partisans of an expiring faction, which would be loyal just so far as it suited its own convenience and its own interests, and which would exert itself to maintain the peace of the country just so long as that peace could be preserved by the Government's placing implicit reliance on them, and on them alone. In making these observations, he begged it to be understood that he did not apply them to all Orangemen, nor to all Protestants—indeed he was far from considering those two terms as synonymous, although he believed that there were many who would be glad to have them so regarded. In conclusion, the right hon. Gentleman expressed his conviction of the absolute necessity of the enactment of some law to place the legality or illegality of the party processions of Ireland beyond all doubt. That they were originally legal had been determined by many able decisions of the best lawyers of Ireland; that they led to the most fatal consequences was proved by almost every day's experience; that it was, therefore, expedient to abolish them must, he apprehended, be obvious to every unprejudiced and well-thinking person. It was with that view that the present Bill had been introduced, and it was with that view that he should persist in pressing it upon the House.

Colonel *Perceval* explained, that he had not said, that the Orangemen were to meet to overawe the Government, or to insult their Catholic countrymen.

Mr. *O'Connell* said, the right hon. Gentleman had stated, that the speeches which had been made on the Opposition side of the House, demonstrated the necessity of this measure. The speech which the right hon. Gentleman himself had just delivered, demonstrated that this measure was totally unnecessary. There had never been in Ireland any cessation of the irritating passions, occasioned by the severing principle of partial legislation. The right hon. Gentleman had talked of his (Mr. O'Connell) being the Catholic member for Kerry. He could not, of course, consider it offensive to be called a Catholic, because he was one; but he did not come there in the character of a Catholic, or the Representative of Catholics, he sat there the Representative of his countrymen, Protestants as well as Catholics, and it was his duty to take care of the interest of the one as much as that of the other. The right hon. Gentleman had talked of the combination between him and the hon. member for Sligo. He could tell him, that if that combination existed between all the Protestants and Catholics of Ireland, they should be too strong for him, and that it was their divisions that weakened them, and which constituted his power. These divisions were the result of bad governments, which at one time encouraged, and at another time struck down each party, and all this was done to remedy the blunders which Government had already committed. The right hon. Gentleman had talked of the necessity of this Bill, and illustrated it by a reference to the wrecking of a village in the county of Armagh. But was there not law enough to punish the perpetrators of that outrage? And had his Majesty's Government to this hour punished a single individual? Not one; nor had they removed one single magistrate in the neighbourhood, although those excesses were perpetrated in open day, and of which ample evidence might be adduced. He contended that no case had been made out for this measure. What should be the first case? That there was not law sufficient to put down these mischievous processions. But if these processions were illegal, there was abundant law. The right hon. Gentleman had read Judge Jebb's charge, showing that they were illegal. What was it then, that prevented his putting them down? He had nothing more to do than to make the Magistrates act; and if he would make them act, he had quite sufficient law to put them down. But the Magistrates were a body of partisans, elected by the Lord-lieutenants of the counties, and were not within the salutary control of Government. By allowing the Magistrates to neglect their duties, the right hon. Gentleman felt compelled to appeal to this House for more legislation; but he had a right to say, that the right hon. Gentleman had contributed to the very evils he now sought to remedy. When he and his colleagues came into office, they found the Yeomanry of Ireland 25,000 strong, and had they not increased them to 30,000? Had they not put arms into hands which they now said it was unlawful to use? And now they called upon this House to establish a most dangerous precedent in Ireland, which a strong Government might hereafter imitate in this country, and for a similar purpose. Allusions had been made to the encouragement given by Orangemen to the repeal of the Union; but Ministers had to thank themselves if that feeling was now much stronger than it formerly was. There were but two kinds of processions in Ireland: Catholic processions on the 17th of March, and Orange processions on the 12th of July, and other days. Now as to the Catholic processions, this Bill was totally unnecessary, for this reason—because those processions were condemned by all the Catholics of Ireland who were at all influential in that country. It was only four or five years since they commenced: there were, therefore, no ancient prejudices in their favour, and he might venture to assert, that no man now imagined that there would be another such procession held in Ireland. Those processions were a base imitation of a bad custom, and had passed away entirely. There was no man, he would venture to say, who would tell this House he believed that another Catholic procession would ever take place. He did not believe it, it was impossible such should be the case; if, however, there should be any such processions, the magistrate ought to act against them. It would be their duty to do so, and therefore there was no necessity for this Act as against the Catholic procession. Then how stood the matter with regard to these Orange processions. These were for many years subject to no kind of jealousy with the Catholics; on the contrary, in the year 1782, the first volunteer corps which fired a salute before the statue of King William 3rd in Dublin, was the Irish Catholic brigade, commanded by the Marquess Wellesley. So far from any jealousy being entertained with reference to the events commemorated on that occasion, there was not a Catholic whom it did not rejoice to reflect that King William succeeded, and that King James was defeated. There was not a Catholic who did not hold the character of the former in the greatest respect, and regard the character of the latter with the greatest and most sovereign contempt; therefore there was no rational ground for these processions being considered as an insult to the Catholics. Then if he took a view of this question as it regarded the Orange party, he would say, that it certainly would be the better course to give up these processions; but his thorough conviction was, that infinitely greater mischief by this Bill would be done, than by any other measure which could possibly be adopted. If these processions were put down on particular days, it must be done by great vigilance, and at the risk of a breach of the peace; but supposing that they were put down on particular days, what would be the result? There would not be one single incident in the life of an Orangeman on which a procession would not take place. There would not be a marriage, or a funeral, but what would be made the occasion for a large assemblage of Orangemen. It was well known that most of the riots occurred at the funerals of Orangemen; and when these should be hereafter celebrated, there would be assemblages of 15,000 or 20,000 men. Could Government interfere to prevent these assemblages? And if not, this circumstance would be made an additional source of irritation to the anti-Orange party; so that, by this Act of Parliament to arrest these processions, instead of preventing bloodshed, bloodshed and slaughter would be promoted. Till he could be shown the case of some one punished for permitting what Judge Jebb called illegal processions, he could see no case for any further enactment. All that would be done by this Bill, would be to increase the bad spirit which existed between different parties in Ireland, by bringing them into daily and hourly collision. Particular processions might be prevented, but this very law would stimulate to similar processions. If Government wished the country to remain in a state of quiet, it must make the magistrates do their duty, it must compel them to act. If that were done, they would recommend the Orangemen so to conduct themselves, that there would be no breach of the peace. Then, looking to the Bill, one would suppose that the right hon. Gentleman intended to laugh at them. It was to put a stop to processions, "who shall wear and have amongst them any fire-arms, or other offensive weapons, or any banner, emblem, flag, or symbol, the display whereof may be calculated or tend to provoke animosity between his Majesty's subjects of different religious persuasions, or who shall be accompanied by any music of a like nature or tendency." Now he should like to know what kind of music it was which was of a like nature with a flag or banner?

Mr. *Stanley* said it was hardly fair for the hon. and learned Gentleman to comment upon a part of a sentence without reading the whole of it.

Mr. *O'Connell* would read the whole:—"Whereas great numbers of persons belonging to different religious denominations, and distinguished respectively by various emblems, expressive of party feelings and differences, are in the practice of meeting and marching in processions in Ireland, upon certain festivals and anniversaries, and other occasions; and such processions are calculated to create and perpetuate animosities, and have been found to occasion frequent and sanguinary conflicts between different classes of his Majesty's subjects. For prevention thereof, and in order to guard against the recurrence of the tumults, riots, and disorders arising out of such proceedings, be it enacted by the King's most excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, that from and after the commencement of this Act, any body of persons who shall meet and parade together, or join in procession for the purpose of celebrating or commemorating any festival, anniversary, or political event, relating to or connected with any religious distinction or differences between any classes of his Majesty's subjects, or of demonstrating any such religious distinction or difference, and who shall wear and have amongst them any fire-arms, or other offensive weapons, or any banner, emblem, flag, or symbol, the display whereof may be calculated, or tend to provoke animosity between his Majesty's subjects of different religious persuasions, or who shall be accompanied by any music of a like nature or tendency, shall be, and be deemed an unlawful assembly, and every person present thereat shall be deemed to be guilty of a midemeanour, and shall, upon conviction thereof, be liable to be punished accordingly." Now that he had read the whole of the sentence, he asked what kind of music that was which was of the nature of banner-carrying? In fact, the attempt to scramble for a particular description, had rendered it necessary to use terms absurd in their nature. The Bill then went on to authorise a single magistrate to commit, fine, and imprison persons offending against its provisions, and all without appeal. The latter part of this Act might be abused: by it magistrates were to be made Judges in their own cause, so that this was an unconstitutional as well as an unnecessary law. He stood there subject to the taunt of having joined persons with whom he much differed; but although he did not believe in exclusive loyalty, every party in Ireland was entitled to the full protection of the Constitution, without having any of their rights trenched upon, unless a necessity were shown for it. He was glad that the hon. member for Sligo had said, that any efforts of his would be unavailing to get the Orangemen to join him, because it acquitted him of acting from any other motive than that which he was ready to avow and declare. It was a great object with him to conciliate the Orangemen, and reconcile them to their Catholic fellow-countrymen. That, from the commencement of his career, had been his leading object, and he knew that they never could succeed as long as they were battling for the civil rights which one party only possessed. That great battle won, he had thought that all differences should be reconciled, as it was the division between parties that prevented the growth of general prosperity. If the Orangemen rejected his overtures at conciliation, he must only be doubly anxious to protect their rights, feebly, for his talents would not allow him to do it otherwise, but honestly and conscientiously. Thus, then, he would say, that this law was perfectly unnecessary, and that the pretence for it had only arisen in consequence of the neglect of the Government to carry the old law into effect. The spirit of a great portion of the community could not be put down by any act of legislation, neither the public mind, nor the Orange spirit, could be conquered by legislation, and every attempt to do so made its strength more irresistible. That spirit might be managed, but could not be curbed, and therefore although a Catholic, he should support the Amendment before the House.

Mr. *Henry Grattan* said, surely the hon. and learned Gentleman could not have forgotten what took place in the Catholic Association, and the insinuations which various of its members there threw out? He could not have forgotten either his charges against the various governments of Ireland, that they neglected their duty, in not stopping these processions; whilst now that they did attempt to stop them, he objected to the mode in which it was attempted to be done, as unconstitutional. But this was a question not of the constitution, but of humanity, whether armed bodies of men were to be suffered, under the pretence of commemorating festivals, to insult their fellow-subjects in a way which led not only to tumult, but to loss of life? He (Mr. Grattan) had said the other night, that he could produce details of what he had stated; but when he looked into them, he was ashamed of the conduct by which both the south and the north of Ireland had been disgraced. A tumult had taken place in consequence of one of these processions, and two men were killed, opposite a house in which he was then staying. It had been of no use to prosecute parties guilty of these outrages, for juries would not convict them, simply on the ground that they were Orangemen. Many documents proved that these individuals would not obey the law, but had persevered in violating it, even when prohibited by the highest authority in Ireland. The hon. and learned member for the University of Dublin, asked where was the authority which prohibited these processions, but had he forgotten the proclamation of Sir Anthony Hart? The hon. member for Sligo said, that he ought to wait till after the 12th of July, but he must recollect, that although the Government did not issue the proclamations he spoke of, upon a request of a similar nature, in a former year, till the 18th of July, the attendance at these meetings was more numerous, and was accompanied with a greater display of banners and arms than upon any former occasion. The churches were decorated with orange-lilies, and sermons were preached upon the event the festival was intended to commemorate,—nay, clergymen were known to adorn themselves with beads, in mockery of their fellow-countrymen. With respect to the comment that had been made upon the expression of music being of a like nature with banner-carrying, he would say that it might not be of a like nature, and yet produce similar effects, for two parties had before now met with music, one playing "Protestant Boys," and the other "St. Patrick's Day," and yet ended the matter by a battle. He could not agree with the hon. and learned member for Kerry, that the Orangemen were likely to become much attached to him. He must confess he had never been able to get them to feel any love for him. The hon. Member might perhaps be inclined to go further than he had done; but he would most likely find, that they would sympathise with him as little at future elections as they had done with him (Mr. Grattan.) Both parties were now rendered equal by the Act of 1829, and he trusted that that good feeling which ought to prevail amongst all parts of a community, would yet be found to spring out of that Act.

Mr. *James E. Gordon* had never been a friend to the Orange processions; but he could not divest them of the interest they created in his mind, from the events with which they were associated. Although he was not a friend to these processions, he must oppose this Bill. His first objection to it was, that it was a hypocritical Bill—because it professed to be intended to put down party processions in certain cases: whereas, its sole object was, to put down Orange processions. The right hon. Gentleman said, that it was directed against Orange processions, because they were of a religious character; but how could he prove that fact? It was true, that the persons composing these processions professed the Protestant religion; but they assembled to commemorate political events, which fixed the present Royal family on the Throne of Great Britain, and established principles to which every Englishman and Irishman ought to be attached; yet the House was to be told that these processions were made for the purpose of insulting the Catholics. He did not mean to say that there might not be exceptions; but, certainly, generally speaking, those processions had not been such as to deserve the reproach of being intended as insults to the Catholics. Indeed, most Catholics must admit, that there had been no instance in which such large bodies of men had assembled with consequences so little to be reprehended. He admitted that the aggressions of others had occasionally led to outrages to be regretted; but, looking to the provocations which had been given, no political bodies could be named so moderate, so temperate, so soberminded, so inoffensive, as these. It was true that they had lately carried arms, but it had been for their own protection; and the numbers attending the processions had been augmented by unrighteous and partial legislation. The demonstrations spoken of, had not, then, been made for the purpose of insulting the Catholics, or overawing the Government. The right hon. Gentleman said, that no one had furnished him with legal proof of the Catholic meetings complained of; but had any one furnished him with legal proof of the Protestant meetings? Besides, the right hon. Gentleman himself admitted that there was nothing, in the abstract, illegal in their objects or movements. Indeed, it would be difficult to complain of the avowed objects of Orange processions, when assemblages of 10,000, 20,000, and 50,000 Blackfeet and Whitefeet were allowed, in the county of Carlow, to superintend a tithe sale, and command that passive resistance of which so much had been said. Was that a legal object? Was it not an object of a much more objectionable nature than any ever avowed by the Orangemen? Another vice of the Bill was, that it was a bullying Bill; for it assailed a party not capable of defending itself, or whose loyalty was supposed to offer a sufficient guarantee for non-resistance to the Act. If he could discover the right hon. Gentleman attempting to pass a law to put down meetings held for unlawful purposes, opposing the law, and denouncing the Government itself, he should have some evidence of his impartiality; but, when he found the law brought to bear on a body of men who had not transgressed, and who had met only to celebrate the events in history, to which the whole country was indebted, under God, for the liberties it enjoyed, he would say, that this was a bullying and partial Bill. It had been said, that the best way of putting down the Political Unions was, to leave them to themselves; but experience had not shown that to be the case, for they had not yet taken the hint, and dissolved themselves. Now, those Unions, thus let alone, had certainly been more violent than ever the Orangemen of Ireland had been. Why should these allies of the Government, which the Government would not find it so easy to shake off as it imagined, be dealt with more leniently than the Orangemen? What he, as the friend of Ireland, wished was, to see the Government pursue a righteous and impartial system of legislation. Their present course of conduct might produce a serious reaction; the Orangemen were now strong in their loyalty, but they were no more than human beings, and had to struggle against all the infirmities and vices of human nature. Let the Government, then, be cautious lest their conduct should lead to disastrous results. The time at which this measure was brought forward was most unfortunate. The disaffected party in Ireland was actually making war against legislation and government of any kind. The right hon. Secretary alluded to the "bigoted partisans of an expiring faction." This was not the first, the second, or the third time the right hon. Secretary had held such language. He did not wish to describe what he felt upon this subject, for he should be obliged to use language which would certainly be thought that of a bigoted partisan; he would only now, therefore, express his regret that the Government should have interfered with the body of men whom this Act concerned. He was as great an enemy to Orange processions as the right hon. Gentlemen opposite, but interference with them was uncalled for, and he looked upon the Orangemen of Ireland as an aggrieved body of men. The present attempt to repress their comparatively innocent movements and marchings was as imprudent with respect to time, as it was partial and unjust in a legislative point of view.

Mr. *Shaw* would not, at a late hour, trespass long upon the House, but could not suffer the discussion to close without protesting strongly against the measure of the right hon. Gentleman, and still more strongly against the speech with which that right hon. Gentleman had attempted to defend it. He would ask whether, at this moment, it was not the duty of an individual, in the high and responsible station of the right hon. Gentleman, rather to pour oil upon the troubled waters of Ireland, and to calm the agitation under which that unhappy country laboured, than to use language, above all other that he had ever heard, calculated to excite party spirit, and increase religious animosity? It was in vain for the right hon. Gentleman, under a consciousness of the mischievous effect which must naturally be produced by such language, to express a hope that he might not be misunderstood, or to rely upon his concluding disclaimer of that construction of his speech which every reasonable man who heard it must put upon it. Could it be doubted that the obvious tendency of the right hon. Gentleman's speech was, to encourage one party, against whom this measure was not intended, and to provoke the other, against whom the right hon. Gentleman admitted it was exclusively directed, to acts of insubordination, and an utter contempt of the Government? The course of this night's debate had afforded ample evidence of the partial and unjust principle of the Bill. It was first opposed by his hon. friends the members for the University of Dublin and Sligo, as a measure aimed alone against the Orangemen of Ireland. The hon. and learned Member for Kerry, then, in the character of a generous enemy, took up this cause, and declared that, even against his political opponents, he could not sanction such gross injustice; and, lest any question might remain as to the universal opinion of all parties on the subject, the hon. member for Meath supported it, expressly because it was meant exclusively to affect that body. If, indeed, this admitted of a doubt—from the wording of the Bill, from the fact of its not being introduced till after the 17th of March, and immediately before the 12th of July, from the view taken of it by those to whom he had alluded, the right hon. Secretary had taken good care to remove all doubt upon the point; for while, on the one hand, he announced that the Bill was not to interfere with any political object,—thus impliedly countenancing the political meeting of thousands and tens of thousands of Roman Catholics, which were held daily in Ireland to promote combinations against property, and in defiance of the law,—on the other hand, the right hon. Gentleman told the House, that he only contemplated meetings of a religious character; and in that conciliatory tone for which he was remarkable, he added, "that the Orangemen of Ireland alone persist in keeping alive religious animosity." He stated, "that their only object in meeting was, to insult their Roman Catholic fellow-subjects and to defy the Government." He spoke of "brutality" in connexion with their conduct; he designated them as "the bigoted partisans of an expiring faction," and referring sarcastically to what he termed their "exclusive loyalty," with a taunt of defiance, but with very little regard to prudence or the peace of the country declared he would now "put their loyalty to the test." The right hon. Gentleman admitted that the existence of the Political Unions in England was inconsistent with good Government; and yet he had not the moral courage to grapple with them. He well knew that hundreds of thousands of Irish Roman Catholics were at this moment in insurrectionary movement, which threatened the peace of society and the safety of the State; and he did not dare to oppose or to control them, while he had the political meanness thus to attack a small and loyal body; he attacked them, because they were comparatively small in numbers, and because he ungenerously reckoned upon their very loyalty and known attachment to good order, as a security that they would not resist any law of the land, whatever might have been the intention of those who framed it: the truth was, an almost universal terror now pervaded the Protestants of Ireland. They saw meetings of their political opponents, with 40,000 or 50,000 persons assembled, and attended with every circumstance calculated to create alarm, pass unpunished and unnoticed. Within the last fortnight an extraordinary sensation had been produced by thousands running like madmen through the country, scattering what they called blessed turf, or ashes, and requiring, with an authority which was instantly recognised and obeyed, the Roman Catholic inmates of every house they visited, to distribute these symbols of a blind superstition in seven other houses; the higher orders of Protestants were trembling for their property; the lower, emigrating rapidly from a country where, under the present Government, they could find neither justice nor protection. In many parts of Ireland the poorer Protestants were literally afraid to lie down in their beds at night, and either slept by day, or under a guard which they kept up for their mutual defence; and still this was the opportunity the right hon. Gentleman took to subject them to the urgent pressure of this Bill. In itself the Bill was unintelligible; its legal absurdity had been ably exposed by the hon. and learned Member (Mr. O'Connell). The right hon. Gentleman (Mr. Stanley) alluding to the charge of Judge Jebb, observed how difficult it was to determine what had a tendency to provoke a breach of the peace. How then were the tendencies which this Bill rendered criminal to be defined; for example, who was to decide what music had "a tendency to provoke animosity?" The hon. member for Meath (Mr. Grattan) said, the "tune of Patrick's Day was an instance." How, then, would that hon. Gentleman reconcile this to the King's representative in Ireland having attended a procession on the 17th of March, accompanied by that very music? In short, the provisions of this Bill were totally irreconcileable with common sense, and by introducing it, the understandings of those who were to administer it were insulted. He would oppose it from first to last as unjust, partial and wholly inefficient.

Mr. *Lambert* said, that, in his opinion, not only were the Government justified in bringing in this measure, but they were imperiously called on to pass it without the slightest delay. It was a measure of peace and goodwill on the part of the Government towards the people of Ireland, for which the Ministers deserved the greatest possible credit. He deeply regretted the opposition of his hon. and learned friend, the member for Kerry, by whom he expected the measure would have been received with that gratitude which it really deserved. He was surprised, too, that his hon. and learned friend should have imagined, by that opposition, he could reconcile parties who never could be united. But let not the Government hesitate; they would deserve and obtain the thanks of their country, if they persevered in their endeavour to overturn in Ireland every supremacy but the supremacy of the law. He hoped that this Bill might be passed with the greatest rapidity, in order to prevent the effusion of blood, which he anticipated would otherwise take place on the 12th of July.

Sir *Robert Bateson* said, there was no danger that there would be any bloodshed on the 12th of July, if the Orangemen were left alone. He protested against this Bill as too partial. There were other societies which were engaged day and night in breaking the law, and yet the Government made no attempt to put them down. He complained, that the Bill, if it was necessary at all, had not been brought in earlier, instead of being postponed to the very eve of the day for the Protestant processions. He thought that circumstance an insult to that body.

Sir *Edmund Hayes* wished to know why the right hon. Secretary called the Orangemen an expiring faction, when it appeared that their numbers had increased trebly within the last year. He insisted that they were the only body on which the Government could depend in case of emergency; they had before now proved themselves to be so, and it was unfair at this time to attempt to put them down. He thought this Bill was, at this time, most unwise and indiscreet, and would only tend to aggravate the evils complained of, instead of diminishing them, and to create and extend that alienation of feeling which existed between the people and the Government.

Mr. *Maurice O'Connell* said, that he could not allow the Question to be put, without stating what were his motives for the vote he should give on this occasion; and he should take the less time in so doing, as he had expressed his opinions pretty explicitly when the right hon. Secretary had moved for leave to introduce this

Bill. On that occasion, he had waived his opposition in order to allow the Bill to be printed; and, now that it was before the House, he must say, that he did not feel his aversion to the measure in the least diminished. He considered this, in the first place, to be an unnecessary measure, for the law at present armed the Magistrate with sufficient powers to disperse any assembly from which danger to the public peace was apprehended; and, in the next place, he conceived it would be useless, because the carrying the Bill into effect was confided to those very persons whom the right hon. Secretary had himself complained could not be prevailed on to act for the dispersion of such assemblies. "See what you do (said the hon. and learned Gentleman)—you set forth, that the Magistrates in the north of Ireland will not act against Orange processions—you tell us, a new law is wanting to put down such processions—you bring forward the project of this law, and you thereby commit the abatement of the nuisance to the very hands which you state have fostered the evil, and whose culpable inactivity forms the reason for at all introducing such a measure. On the Bill itself I shall not trouble the House any longer, but wish merely to address a few words to my hon. friends, the member for Meath and the member for Wexford. The former of these Gentlemen has taxed the hon. member for Kerry with a departure from the principles of a certain defunct and much calumniated body, "the Catholic Association," by his conduct on this occasion. I, Sir, had been, and it shall always be my proudest boast, an original member of that body; I continued a member thereof until its final extinction; I was a pretty close attendant on its meetings, and took some share in its proceedings, and, therefore, must be supposed to know something more of the principles which actuated its members, as well as its actual measures, than the hon. Gentleman, who, I believe, never honoured us with his presence, and whose name does not appear in any list of the members of the Association. Sir, I deny that the Catholic Association ever called for a new law to put down these processions. I maintain that they held, as the hon. member for Kerry does, that the laws then, as now, in force, were quite sufficient to effect that object: and I assert, without fear of contradiction, that all they ever demanded was, that those laws might be actively, but impartially, administered. As for the statement of the hon. Gentleman, about decorating churches, and his complaints of sundry sermons pronounced and preached by Orange clergymen, I lament them as much as he can. But how will this Bill remedy that evil? It does not say a single word about churches; it does not hint either at sermons; and it leaves the parson quite as unrestricted as to his demeanour as he was before. But, having done with argument, the hon. Gentleman comes to advice, and he warns the hon. member for Kerry not to seek to conciliate the Orangemen as he must fail, "for," says the hon. Gentleman, "I could never get them to fall in love with me." Now, Sir, without any disrespect to the hon. Gentleman, I may be allowed to trust, that possibly the manners of the hon. member for Kerry may be a little more popular than his, and to suggest, that it may be as well to permit that Gentleman to persevere in his laudable attempt at conciliation, even though so great a master of the human heart as the hon. member for Meath should have failed in procuring the Orangemen to vote for him. I turn next, Sir, to my hon. friend, the member for Wexford; and I must say, that I have seldom heard a speech in this House which gave me more pain than part of that hon. Gentleman's short address. Sir, though I vote against this Bill, I cannot enter into the sentiments of most of the Gentlemen who have spoken from this side of the House. I do not agree with them in their notions of the excessive and exclusive loyalty of the Orangemen; and I must disapprove of the evidently party, and I had almost said factious, spirit which has prevailed throughout their addresses; but, Sir, while I disapprove of them, I cannot but regret that my hon. friend should not only have followed so bad an example, but should have, by what has fallen from him, given occasion to such demonstrations of that unhappy spirit on his side of the House. I had hoped, that he would have considered this question, not as a religionist, but as a senator, and I grieve to find that I am disappointed. Sir, the complaint of the Catholics of Ireland for many years has been, that while Protestants admitted their merits in private, they industriously deprived them of all opportunities of showing in public, that the language of the Orangemen in particular was much such as that used by my hon. friend. "In private you are estimable; as men we respect and admire you; but when you come to act as Catholics and politicians, you lay by all feeling, all humanity, nay, almost all decency." Such, Sir, was our complaint, and being so, it afflicts as well as surprises me, that my hon. friend should have condescended to take up the cast off invective of our adversaries. But, Sir, there is something of absurdity conveyed by the hon. Gentleman's arguments. He reprobates a Repeal of the Union; he expresses his hope that the Orangemen will not join the hon. member for Kerry in advocating that measure: and, in order to prevent such a combination, he votes for the very measure the carrying of which is stated by the Orangemen to be the only event which can urge them to that unnatural alliance. Really, Sir, I cannot but feel some surprise that so clear-headed a person as my hon. friend should have allowed himself to be betrayed into such a blunder. I shall not detain the House any longer than merely to re-state, that I oppose this Bill as unnecessary, as, in a great degree useless, and as affording another instance of the cruel and inconsiderate manner in which it has been the practice to legislate for Ireland."

Colonel *Conolly* declared he had strong and insurmountable objections to this measure, because he thought it would be extremely unjust and partial in its operation.

Mr. *Henry Maxwell* said, he had been instructed to present the Petition of the Orange Lodges of Ireland against the Bill. He had not obtained an opportunity of doing so; but the petition which he held in his hand maintained, that the course they pursued was perfectly legal, and that the Lodges assembled for perfectly justifiable and constitutional purposes.

Captain *Jones* also declared, that the conduct of the Orangemen of Ireland was perfectly legal; and he thought the Bill would be productive of the most injurious effects in the north of Ireland.

Mr. *Anthony Lefroy* opposed the Bill. It was bad as a measure of policy at any time, and particularly objectionable at the present moment.

The House divided on the Amendment —Ayes 29; Noes 110: Majority 81.

List of the AYES.

Bateson, Sir R.
Best, Hon. W.
Bridges, Sir T.
Castlereagh, Lord
Clements, Col.
Cole, Lord
Cole, A.
Conolly, Colonel
Courtenay, T. P.
Fane, Colonel
Ferguson, Sir R.
Fitzgerald, Sir A.
Fox, S.
Gordon, James E.
Hayes, Sir E.
Ingestrie, Lord
Jones, Captain
Kemmis, Captain
Knox, T.
Lefroy, T.
Maxwell, H.
O'Connell, M.
Ossory, Lord
Perceval, Colonel
Pringle, T.
Ruthven, E. S.
Shaw, F.
Sibthorp, Col.
Tullamore, Lord

TELLERS.
Lefroy, T.
O'Connell, D.

House went into Committee.

Colonel Perceval moved, that the Chairman should report progress.

Mr. *Stanley* agreed to the Motion, on the understanding that no discussion should take place upon the motion that the Speaker do leave the Chair, on a future evening.

House resumed—Committee to sit again.

HOUSE OF LORDS,

Wednesday, June 27, 1832.

MINUTES.] Papers ordered. On the Motion of the Duke of RICHMOND, a Copy of the Correspondence between the Directors of the East-India Company, and the Commissioners for the Affairs of India, on the India Jury Bill.

Petitions presented. By Lord KING, from Clonmell, for an efficient Reform to Ireland; and from five Places in Ireland, against Tithes and Church Rates.—By the Earl of RODEN, from six Places in Ireland, against the Ministerial Plan of Education (Ireland).

ATTACK ON THE KING—ANSWER TO THE ADDRESS.] The *Lord Chancellor* announced that their Lordships had, in conjunction with the Members of the House of Commons, carried up an Address to his Majesty, to which his Majesty had been pleased to return the following most gracious Answer:—

"My Lords and Gentlemen;—I thank you for this affectionate expression of your feelings, in consequence of the attack lately made upon my person.

"I rely with confidence on the loyalty and attachment of my people; and you may be assured of my anxious and unremitting solicitude to ensure to them the blessings which they enjoy under our free Constitution."

HOUSE OF COMMONS,

Wednesday, June 27, 1832.

MINUTES.] Papers ordered. On the Motion of Mr. JOHN WOOD, Amount of the Importation of Corn in the year 1832.

Petition presented. By Mr. ANDREW JOHNSTONE, from Cupar (Fife) against a Clause in the Scotch Reform Bill.

ATTACK ON HIS MAJESTY—ANSWER TO THE ADDRESS.] The *Speaker* reported that the Address of the House of Commons, with that of the House of Lords, had been presented to his Majesty, who had been pleased to make the following reply:—

[The right hon. Gentleman read his Majesty's Answer, for which see the Lords' Debate above.]

DURHAM UNIVERSITY.] Sir James Scarlett brought up the Report on the Durham University Bill, which being received, he moved the third reading of the Bill.

Mr. *Hume* wished to ask, if any alteration had been made in the clause which debarred Dissenters from enjoying the privilege intended to be given to members of the Established Church, in the proposed University.

Sir *James Scarlett* was not aware of the existence of any such clause.

Mr. *Hume* complained of the third reading being passed immediately upon the Report of the Committee, and appealed to the noble Lord opposite (Lord Althorp) for his opinion as to its propriety. In his view of the matter, the clause to which he had referred ought not to be allowed to remain, as it was a proof of the illiberality which still hung about the Church of England.

Lord *Althorp* said the Dean and Chapter of Durham wished to have this Bill passed, with a view to establish a University. The particular object of that University would be, to give information to all classes, but the Dean and Chapter would reserve to itself the right of bestowing Degrees on those persons only who were members of the Established Church; and as these Degrees would chiefly apply to those who took orders in that Church, it could scarcely be deemed a grievance by others. He would repeat, that he thought it no unreasonable proposition, that the Degrees conferred by the University should be given only to such as conformed to the rules of the Established Church.

Mr. *O'Connell* agreed with the hon. Member who had said that the right of private property should be respected. The property in question, however, was Protestant property, and therefore public property.

Sir *Robert Peel* thought the delay proposed ought to be agreed to. He should like to see this Bill passed unanimously, as it was one which might be of great service, in enabling many who could not afford the expense of an University education, to acquire that blessing at a more moderate rate.

Third Reading postponed.

REFORM BILL (IRELAND).] Mr. Strickland presented a Petition from a Political Union at Leeds, praying for a more extended measure of Reform for Ireland.

Mr. *O'Connell* could not let that opportunity pass without expressing his cordial gratitude to the people of Leeds, for that manifestation of their feeling in favour of Ireland. Indeed, he felt grateful to the people of England generally, for to their exertions was to be attributed the concession which had recently been made in the Irish Reform Bill. It was the people of England who compelled his Majesty's Government to make this concession, and he, therefore, felt grateful to them for it. He was not disposed to undervalue the concession which had been made; he felt its importance, and was as ready to acknowledge it as any member of that House. But there was another point which, in justice to Ireland, ought also to be conceded. It would be of the greatest consequence to the people, and it would cost the Government no sacrifice of principle or feeling to grant the boon. What he demanded was, a cheap registry for Ireland. He had often adverted to that point before; he now implored Ministers to listen to his suggestions. Let them generously accede to the wishes of the Irish people upon this point, and he pledged himself he would give up other points, which he intended to press in the Committee. This was not a time to quarrel about forms, for, after all, it was but for the maintenance of a form the Government were contending; but a form, he would say, which would be most injurious in its effects upon the interests of Ireland. Let them, therefore, give way; they had nothing to gain by holding out, and the people had much to lose. He should conclude by expressing his anxious hope that his request would not be made in vain.

Petition to lie on the Table.

FACTORIES BILL.] Lord *Morpeth* presented a Petition from the county of York, in favour of the Factories Bill, now before the House. It was of such an extent, and signed by so many thousands, that he could not say, in the ordinary language used in the presentation of petitions, that he now held a petition in his hand to which he requested the attention of the House. [The Petition was of an immense size, and lay on the floor, the noble Lord holding the top part of it only in his hand.] The petition was signed by 138,652 names, and he knew, by laborious experience, that it measured 2,322 feet in length. The petitioners complained against the system of overworking children, and prayed for an immediate measure of relief. He had been convinced, from what had already occurred before the Committee, that humanity demanded a speedy corrective to the evils to which the petition referred.

Sir *John Johnstone* said, that many of the signatures to the petition had been affixed by parties not acquainted with the working of the factory system, and therefore, were not qualified to form a judgment upon the subject. However amiable, therefore, might be their intentions, as the factory system was very complicated, their recommendations ought not to be implicitly relied on.

Mr. *Strickland* felt it as a reproach to this country, that its children were not treated with kindness. The evidence given before the Committee was of a nature to excite the deepest horror, and the evils of the system, it had been proved, notwithstanding exertions to the contrary, had extended to Scotland.

Mr. *Sadler* expressed his astonishment at the hon. member for Yorkshire (Sir J. Johnstone). He had thought proper to doubt the capacity of a large class of his constituents, to form a judgment upon this subject. But the hon. Member ought to have known, that besides the agriculturists, the signatures to the petition included the names of nearly 100,000 of the manufacturers of Yorkshire. The present system was shown to have had the most demoralising and degrading effect upon many of the manufacturers, and was in its operation far more severe than any system that had ever been pursued towards slaves. In the British colonies there were regulations to limit the hours of labour for the slaves, and more particularly children, who had not to work more than six hours a day; and with such facts before their eyes, he asked, how it could be tolerated that English children should be allowed to waste their health and lives by intolerable labour in factories? The House might depend upon it, that the hostility to the existing system was founded on feelings that were perpetual, and could not be eradicated from the human breast. These feelings found sympathy in every humane heart, and so little likely were the petitioners to recede from their present opinions, that such opinions were extending every day, and the children were exciting the compassion of the people, not only of the north of England, but throughout the whole of the country. It was, therefore, clear that the measure which he suggested, or, at least one similar to it, must be passed; and as no reason had been assigned for delay, the sooner it was passed the better. Whoever attended to this subject must at once see, that the anxiety of the petitioners was not founded upon local or contracted views, but was based upon humanity, and resulted from the natural and commendable desire to see the working classes healthy, educated, industrious, and contented. He should like to see the Government of the country take up the subject, or, at least, lend a helping hand to this measure of justice and policy.

Sir *John Johnstone* wished to explain. He had never doubted the capacity of the agriculturists, but the distance at which many of the petitioners resided from factories, and the little intercourse which they had with the working classes in factories, rendered them unfit to express an opinion upon a point with which they were so little acquainted.

Petition laid on the Table.

Lord *Morpeth* said, that acting on the principle, *Audi alterem partem,* he should then present a Petition of an opposite tendency. It came from the workmen employed in the factory of Messrs. Greenwood and Whittaker, of Burley, in the West Riding of Yorkshire, and was signed by upwards of 300 persons, who worked only ten hours in the day. The petitioners expressed themselves perfectly satisfied with the regulations already established, and stated, that they were in the enjoyment of good health. They expressed their apprehension lest the proposed alterations should prevent many workmen from earning sufficient support for large families. He, however, was of opinion, that some regulations were necessary to protect children from being worked too severely.

Mr. *John T. Hope* was requested to support the prayer of the petition, and he would add, that ill health and wretchedness were by no means the consequences of labour in factories.

Mr. *Sadler* said, that in reference to the petition, he did not by any means wish to depreciate it because it came from workmen, but he wished to remind the House, that it only referred to the case of adults, and to one factory, which, he freely admitted, was well worked. It was also a question how far persons standing in the situation of the petitioners had the means of expressing their opinions independently. He knew instances in which witnesses were deterred from giving evidence before the Committee of the House, so that great difficulties were thrown in the way of persons who wished to give information on the subject. He was equally certain that difficulties had been thrown in the way of persons wishing to sign petitions in favour of the Bill. Whatever value might be attached to this petition, it certainly could not be put in competition with that which had been previously presented, and which was signed by 130,000 persons.

Lord *Althorp* said, the hon. Member had alluded to the owners of mills who had prevented their workmen from signing these petitions. He had the happiness of being well acquainted with several of those gentlemen, and could, from personal observation, bear ample testimony to their character for respectability and humanity.

Mr. *Briscoe* maintained, that the comfort enjoyed by the workmen of one factory, was no reason for not passing a law for the protection of children, and even working people generally. Similar regulations to those proposed, had been enforced in favour of slaves. He did not depreciate the value of the petition, but he could not forget that it had only 300 signatures, whilst a petition of an opposite tendency was signed by 130,000.

Petition to be printed.

PARLIAMENTARY REFORM—BILL FOR SCOTLAND — THIRD READING.] Lord Althorp moved the Order of the day for the third reading of the Reform Bill for Scotland. Petitions against the Member qualification clause of this Bill were presented from the Glasgow Political Union, by Mr. Dixon; and from Edinburgh and Renfrew, by Mr. Hume.

Lord *Althorp* stated, that the Bill, as it stood, required a qualification for Scotland similar to that of the English Bill. But, looking at the manner in which the qualification had been set aside in England—it being well known that a considerable number of able men, such as Mr. Pitt, Mr. Sheridan, Mr. Burke, Mr. Tierney, and others, had sat in that House without being duly qualified—it was not thought advisable to enforce the qualification for Scotland. It was, therefore, the intention of Government to propose the withdrawal of the qualification of members clause, substituting for it a clause fixing a landed property of 400*l.* as the minimum qualification of a county Member, and leaving the Representatives of boroughs and towns, as at present, without a property qualification. He had been of opinion that the property qualification of the Scotch Members should be precisely identical with that required of the Members of counties and boroughs in England, and accordingly had a clause introduced into the present Bill to effect that identity. He, however, felt himself called upon not to press it, in consequence of the great dissatisfaction which the proposition had occasioned throughout Scotland, not only among the working classes, but—as letters to him and the Lord Advocate, from persons of the highest respectability, such as Mr. Murray of Henderland, Mr. Oswald of Glasgow, and Sir John Maxwell, strikingly testified — in classes placed above all sinister motives or suspicions. Those persons declared, that the effect of such a clause would be, to materially fetter the freedom of choice of their Representatives, with which it was a main object of the Bill to invest the electors of Scotland; and that its repeal would give birth to great satisfaction in that country. He, therefore, would propose an amendment to the effect he had stated, in reference to the counties, leaving the boroughs, as at present, without a property qualification condition.

Mr. *Robert A. Dundas* said, that if he thought he could successfully oppose this Bill, he should undoubtedly persevere in his opposition; but, as all hope of ultimate success was now removed, he should not waste the time of the House by continuing a course of opposition which he felt would be fruitless. With respect to the motion to which the noble Lord had just adverted, he had only to say, that he did not see why the qualification of Members in the two countries should not be the same. It would be a sort of absurdity, that a person who was unfit to represent Carlisle or Newcastle, was quite competent, across the border, to represent Edinburgh or Glasgow. If that were not so, persons would not be prevented from coming into that House who would hardly be admitted into respectable company or decent society.

Mr. *Dixon* observed, with respect to the declaration of the hon. Member who had just addressed the House—namely, that without a landed property qualification the Scotch boroughs would be likely to return persons unfitted for decent society—that it argued great ignorance on the part of the hon. Member, with respect to the feelings and mental habits of those inhabitants of the Scotch boroughs whom the Bill would invest with the right of suffrage. There was not the least chance, when the Parliament was reformed, that the inhabitants of Scotch boroughs would elect improper persons. The qualification had been continually evaded in England, and so it would be in Scotland; and why, then, should they pass a law which could not be executed. In Scotland it was very difficult to obtain small estates, and therefore the clause would operate more injuriously in Scotland than in England. The greatest dissatisfaction had been caused by the proposal to inflict a qualification on Scotch Members, and he should certainly oppose that part of the Bill unless it were altered. As to any fear of the people of Scotland not choosing proper persons, in the sense of the hon. member for Edinburgh, he could assure him and the House that the people of Scotland, down to the very lowest, were great worshippers of aristocracy and wealth; so much so, indeed, that mere fitness and talent would have but poor chance in competition with either high birth or great riches.

Mr. *Pringle* was decidedly of opinion that there ought to be a qualification in Scotland. There had always confessedly been one with respect to counties, and in his opinion, one with respect to towns. But, whether there had been a qualification or not, a new system was now to be introduced, and it ought to be wholly acted upon—he contended that the sense of Scotland had not been taken on the subject, but the Government by making this alteration was giving way once more to Political Unions. It was true the noble Lord had mentioned respectable names in support of the change, but it was also true, that the Gentlemen mentioned, were much mixed up with popular meetings. He made these remarks not for the purpose of opposing the Bill. He now considered that Bill as passed, and he should heartily rejoice if all or any of his fears respecting it were not realised. For his own part he should seriously and heartily endeavour to render the Bill, in its operations serviceable to the country and its best interests. He had done his duty in opposing the Bill, but finding that the great majority of the legislature was opposed to him, he should henceforth have to perform the next duty of carrying the law into execution in the least injurious manner to the country.

Mr. *Hume* would maintain, that the Political Unions, which hon. Members seemed so anxious to sneer down, included within their members persons of the highest respectability and intellectual eminence. They were to the full as respectable as the Carlton Conservative Club, to which the hon. Member belonged, and were not the less so that they were mainly composed of persons in the middle classes of society. He approved of the principle of the noble Lord's Amendment, so far as it applied to the boroughs, and only regretted that the counties were not placed on the same footing, as a property qualification was *prò tanto* an impediment to freedom of choice on the part of the represented as to their Representatives. The only test should be fitness, as indicated by talent, and information, and zeal in the public service, and to make property the condition was to shut out intellectual competency. What test was a man's money of his intellect? If it could be proved that talents and integrity were proportionate to wealth, he would support the clause; but was it not a too notorious fact, that the half-witted, and wholly ignorant, and profligate sat in that House merely because they happened to be born with a silver spoon in their mouths? And was it not equally undeniable, that many a person not possessing a clear property of 100*l.* per annum, possessed far higher senatorial qualifications than the large majority of his hearers? Should such persons be excluded from a station for which they were so eminently fitted, while some monied man, without any other qualification, was representing his own breeches-pocket? The qualification was evaded in England, and evaded by the law-makers themselves, and therefore he thought it was absurd to pass another similar law, only to break it in a similar manner.

The *Lord Advocate* admitted that there had not been much time to take the opinion of Scotland upon this clause; but the time that had elapsed had been industriously employed for that purpose. As soon as the clause had been printed, he sent off 250 copies to the different boroughs in Scotland, for their consideration. Among the answers he had received, thirty-six in number, there was not one which approved of the proposed increase in the amount of the qualification, but every one of them exclaimed against it. He was sure that the rules as to qualification had not been of benefit in England; but he was even more fully convinced, that if they had been innocuous here, they would be actually injurious in Scotland. He was, therefore glad to support the Amendment of his noble friend, as he was sure that it would be beneficial, and that Scotland would be grateful for it.

Sir *George Murray* said, he had always thought, with respect to requiring a qualification, that if it had been effectual, it would often have been injurious, as it might have excluded some of those who were in all respects, except that of property, the best qualified to sit in that House. It might often exclude men of noble families, and men of great ability and extensive education, but who did not possess the requisite property. But he was aware that in England this qualification had not been effectual; and, if it was not more effectual in Scotland than it had been in England, it might as well be omitted. In this view of the matter, he could not see the reason of the distinction which the noble Lord took with regard to counties and boroughs; or, if there was any distinction in order to exclude persons who might have no other claims than what arose from the particular excitement of the moment, he believed that the reason of that distinction would go to show, that the qualification clause was more necessary to be applied to boroughs than to county elections, for the danger of electing persons of that description was greater in boroughs than it was likely to be in counties. He should take another opportunity of expressing his opinion on the clause generally.

Mr. *Kennedy* agreed with the spirit of the observations just made by the right hon. and gallant Member opposite, and, after the display of opinion which this discussion had elicited, perhaps the noble Lord would not think of pressing that part of the clause which related to the qualification for counties. He hoped that such a proof would be given of the confidence placed in the people of Scotland, that they would elect fit and proper persons to sit in that House as their Representatives. He was sure that the people of Scotland deserved that confidence, and he had no doubt whatever that, under the Reform Bill, even if no qualification were required, the gentlemen who were returned would be such as would do honour, not only to their native country, but to the Legislature of which they had been elected to form a part. He thanked the noble Lord for what he had done, and he was sure, that there was no part of the noble Lord's conduct that would give the people of Scotland more satisfaction, than the candid and manly manner in which the noble Lord had retracted a recommendation which they could not have seen carried into effect without feeling the deepest possible regret.

Mr. *Gillon* begged to express the satisfaction which he had received from the declaration which had fallen from the Chancellor of the Exchequer—a satisfaction which, he was sure, would be shared by the whole community of Scotland. Their promptitude in coming forward to resist what they considered an undue restriction on those privileges which they were about to receive, was most creditable to them, influenced by the feeling which he was sure animated them, that the qualification was to be a *bona fide* one, and not a mere illusion, as it had been in England. He rejoiced that the qualification had been dispensed with in boroughs, and that the electors were to be left to their free choice of a Representative, in whom they had confidence, who understood their interests, and participated in their feelings, whether he was rich or poor; and he had yet to learn that a man was the honester from being rich, and it was honest men they wanted in this place, not men who were to represent only their breeches-pockets. He could have wished that the same principle had been extended to counties; but as the qualification would be, he trusted, nearly inoperative, as in England, little inconvenience was to be apprehended from the modified one introduced. He trusted so much in the education, in the good sense, in the morality of the people of Scotland, that he could not doubt of their exercising with discrimination those privileges which the new Charter of their liberties was about to confer on them; and it was time, when legislating on so great a scale, to get rid of obsolete and aristocratic notions of exclusion. He hoped that the noble Lord would withdraw the county qualification, as well as that required for boroughs.

Mr. *Fysche Palmer* rejoiced at the change which had taken place in public opinion, on the subject of Reform. In 1792, a great many gentlemen of the highest respectability were transported, because they had advocated the cause of

Reform. If the Government were now to transport all the people who held the same opinions, they would transport nine-tenths of the people of Scotland.

Mr. *Robert Ferguson* said, that the best qualification a Member could have was, the fact of his having been returned by a numerous constituency as their Representative. He was against all qualification whatever; and he was grateful to the noble Lord for the improvement he proposed to make in the Bill.

Captain *William Gordon* asked, whether the noble Lord had taken into consideration the proposition for transferring the election for the county of Edinburgh from the town of Edinburgh to Dalkeith?

The *Lord Advocate* said, that the county-town had always been preferred, and that places geographically more central were often not so convenient. In this instance, Dalkeith was by no means so conveniently accessible as Edinburgh.

Bill read a third time.

The *Lord Advocate* said, that seeing it was the sense of the House, he would propose, in addition to the Amendment of his noble friend, to withdraw the whole of the qualification clause.

Mr. *Traill* moved, as an Amendment, that Shetland and Orkney have separate Members, and for this purpose, that a change be made in the clause, fixing the number of borough Representatives.

Mr. *Hume* apprehended, that if this alteration were made, it must be done by giving the two counties of Selkirk and Peebles only one Member between them.

The *Lord Advocate* admitted, that the case of Shetland was one of singular hardship, yet this did not arise from the drawing up of the Bill, but from the peculiar situation of that cluster of islands. The hon. member for Orkney, had founded his Motion on a basis which was not sound. He had argued that the two clusters of islands—namely, those of Orkney and Shetland, had hitherto formed separate counties. In this the hon. Member was incorrect. He was ready to admit that, from the cession of Shetland by the Court of Denmark, up to the Restoration, they were distinct districts, but from 1669 to the Union, they had constituted only one stewartry, and writs were issued in all succeeding reigns to elect a Member for the united stewartry of Orkney and Shetland. Now, looking at the population and property of these two districts, he did not see on what grounds they could claim two Members. It was of no use to say, that the two places were separated by a tempestuous ocean. He was ready to agree to that statement, but it did not apply peculiarly to Orkney and Shetland. Ross-shire, for instance, and the island of Lewis, were divided by an ocean equally tempestuous, and other places in Scotland were in a similar position; but that arose from circumstances over which human power had no control. In addition to that, he must say, that looking at the population and assessed taxes, these two districts had no just claim for two Members. They contained a population of about 50,000 inhabitants, and paid assessed taxes little more than one-tenth part of what was paid by many counties in Scotland. The counties of Perth, Renfrew, Fife, Aberdeen, and Edinburgh, had each, at an average, more than four times as many inhabitants, yet they were to return only one Member each; for these reasons, he should oppose the Amendment.

Mr. *Hume* had no doubt that the two places formed only one stewartry; but that was not the question. The question was, whether, from their population and their peculiar situation, they ought not to have two Members. The one had a population of 27,000, and the other 30,000; and they were distant 120 miles; separated, too, by a tempestuous ocean. He must, however, say, that he doubted much whether there was any chance of carrying such an Amendment in the present stage of the Bill. Had the Motion been brought forward sooner, the case might have been otherwise. He, therefore, hoped his hon. friend would not divide the House; but satisfy himself with recording his Motion, and reserve the further discussion of it to another Parliament.

Mr. *Patrick Stewart* would support the Amendment of the hon. member for Orkney. From the geographical position of these groups of islands, it was at once evident that their having only one and the same Member, could never be more than a mockery of Representation. Yet the claims of Shetland to a share in that Representation could not be denied; and it was neither impossible nor inexpedient to grant it. Let Peebles and Selkirk have only one Member between them, and the other be given to Shetland; or else let the boroughs of Wigtown be united with the county, and their Member be given to Shetland. He would likewise propose, that in place of making the qualification of voters in Shetland 10*l.*, it should be the possession for a certain time of a Shetland pony.

Sir *George Murray* said, that the House had not to go back to the time when these islands were under the Crown of Norway. It had to look to their present position, and it appeared to him (Sir George Murray), that Shetland could not be properly represented without having a separate Member. The case was a very strong one, and had the hon. Member moved to give a separate Member, without decreasing the number of the boroughs, the Motion should have had his support; but as the Motion was shaped, he regretted that he must vote against it.

Mr. *Robert A. Dundas* would oppose the Motion, also, on the same grounds on which the hon. and gallant Baronet objected to it.

Mr. *Dixon* thought that Shetland was entitled to a separate Representation, but the mode in which his hon. friend proposed to do justice to that cluster of islands, would be unjust to Perth, and would not remove the inconvenience complained of.

Mr. *Traill* would not press for a division on his Motion, which he had brought forward in justice to his constituents, and with a hope that a reforming Government might consider it incumbent upon them to take the subject into consideration.

Amendment negatived, and original Clause to stand part of the Bill.

Mr. *Pringle* moved, as an Amendment, that Dalkeith be substituted for Edinburgh, as the place for holding the election for the county of Edinburgh.

Amendment negatived.

Mr. *Stuart Wortley* observed, that the Town Clerks in Scotland were persons of great respectability, and ought to continue to be intrusted with the duty of Returning-officers as heretofore. Their respectability and worthiness of trust were fully recognised by their being appointed to make out the lists; he saw no reason why they should not still fulfil the duty of Returning-officers; and he should, therefore, move an Amendment, having for its object to continue to them their former privilege.

The *Lord Advocate* said, that it certainly was not intended by the clause to cast any imputation upon that respectable class, the Town Clerks of the Scottish burghs, but as the right of election formerly resided in the Corporation, and as the Town Clerks were their officers, and theirs only, he saw no reason in the fact of their having once been Returning-officers, that would require their continuance in that situation; on the contrary, he was perfectly sure the House would agree with him, that the Returning-officers provided under the Bill were much more eligible.

Amendment negatived.

The Lord Advocate then moved that the clause requiring qualifications in Members should be withdrawn from the Bill.

Mr. *Horatio Ross* contended, that at least they ought to have a qualification for the Scotch county Members.

Mr. *Hume* observed, that the Scotch borough Members never had been required to have any qualification, and he was sure that the general feeling of the people of Scotland was in favour of the extension of that rule to the counties.

Mr. *Sheil* said, that as there was now to be no qualification for Scotland, he wished to know why there should be any qualification required for any part of the United Kingdom? The fact was, that qualification was a mockery, and by mental reservation was always evaded.

Mr. *C. W. Wynn* concurred with those who thought that the qualification as proved by oath at the Table, ought to be altered, and especially that it should not be restricted to merely landed qualification. It might be evaded, and perhaps by many Members that was done with a safe conscience—they considering that an oath was to be taken in the sense in which it was understood by the parties to it.

Sir *Charles Wetherell* objected to so important a change as the abolition of qualifications being thus introduced incidentally into the Scotch Reform Bill. If they proceeded in this way the consequence would be, that all qualification in money or land would be done away with in the course of time. He would not undertake to say, that it might not be desirable to generalise the qualification, by attaching it to property in the funds, as well as to landed property. There was no principle in the English, Irish, or Scotch Bills, with respect to which the Council in Downing-street did not suffer themselves to be overruled by the affiliated councils. Why should such an exemption be given to a Scotch Member or a Scotch voter, and refused to an English or an Irish Member or voter? The learned Lord Advocate said there was something peculiar in a Scotch conscience, which revolted at oaths of this kind. He believed, if the truth were known, it would be found that the Scotch Unions overruled the noble Lord (Althorp) and his colleagues, and that a hint from them was the cause of this alteration in the Scotch Bill. The noble Lord seemed to have washed his hands entirely of the Bill, and left it solely to the care of the learned Lord.

Lord *Althorp* said, if what the hon. and learned Member had advanced were true, that, because no qualification for a Scotch borough was required, it was a reason why none should be required for Irish and English Members, he wondered why that had not before been brought forward in that House, as it had long been notorious that the Members for Scotch boroughs were exempt from bringing proof of qualification. The whole question had, notwithstanding the complaint of the hon. and learned Member of its being a new principle, been already discussed, and had the hon. and learned Member attended at an earlier part of the evening, he would have then been informed of the reasons by which his noble and learned friend had been guided in moving the withdrawal of the qualification. This was not a proper time to enter into the discussion of this question. If ever the whole question as to qualification in England, Ireland, and Scotland, were brought before the House unitedly, then he should with cheerfulness enter into the discussion.

Sir *Edward Sugden* said, he feared the reason of the noble Lord's attempting to withdraw the clause was to be attributed to his having given way to the Political Unions.

Lord *Althorp:* Certainly not.

Sir *Edward Sugden* replied, that insinuations of this kind, whenever made, were always met in this way by a positive denial; but he knew that the noble Lord had, on the occasion of the English Bill, given way to the English Unions. In this manner they might go on making concessions, one by one, and step by step, till they had yielded up all the barriers by which the respectability of that House was alone to be defended.

Lord *Althorp* gave his honour that the representations upon which the Government had been induced to concur in the present alteration, came not from the Political Unions, but from other very respectable persons in the better classes of society.

Sir *Robert Inglis* said, that the same securities should be required from the Members for Scottish boroughs as were required for boroughs in this country.

Sir *Robert Peel* was apprehensive they were about to establish a most dangerous precedent in respect to Scotland, which was capable of being applied hereafter, by the discontented out of doors, as a reason for similar concessions as to qualification in respect to the English and Irish boroughs. They had refused to abolish the qualification in this respect as to English and Irish borough Members; why, then, should it not be required in Scottish boroughs? There was but one reason given for the exemption by the hon. and learned Lord, which was, the tenderness of their conscience about taking the oaths at the Table as to their qualification. Yet the learned Lord had represented an English borough himself, and felt none of those qualms of conscience when the oath was put to him at the Table on his return to Parliament. [The *Lord Advocate:* I possessed the proper qualification.] Indeed, he never yet recollected that the House had experienced the misfortune of losing any Scotchman, elected for an English borough in consequence of his excessive sensibility in respect to taking the oath prescribed. He was unwilling to sanction, in this case, a precedent which would not fail to be laid hold of by a certain class of zealots in politics, when the opportunity arose, in a Reformed Parliament, of introducing a similar abandonment of security for the respectability and independence of the person returned to Parliament. He was unwilling to permit Government, or that House, to be led or dictated to by bodies of men out of doors, calling themselves Political Unions, as to points of such vital importance to the respectability of that House. They were better judges of such subjects than any Political Unions. It looked, certainly, as if this Motion was introduced at the suggestion of the Political Unions; for in the first bill the clause had been inserted, in the second omitted, and again reintroduced in the third draft of this very Bill. It was remarkable, also, that petitions from two Political Unions were but just presented against the clause.

Mr. *Kennedy* assured the right hon. Baronet, that the suggestion originated not with the Unions in Scotland, but with a majority of the persons of property in parts even of Scotland where no such Unions existed. At present no qualification, on the ground of possessing property in the United Kingdom, existed in Scotland; that it might have at one period of time existed he would not contend.

Mr. *Wrangham* said, that the people of Scotland were deeply interested in having their Representatives duly qualified. He should feel it his duty to vote for retaining the clause then rejected by the hon. and learned Lord.

Sir *George Warrender* recommended, that if the Act of Anne, requiring a qualification, were a good one, it should not be suffered to be evaded, but ought to be made efficient. It was notorious, however, that it was evaded by English Members at the present day, and he saw no reason why that which had been so long a dead letter as to qualification, should be revived in all its strictness with reference to Scotland.

Mr. *Andrew Johnston* thought there were peculiar circumstances connected with Scotland, which made it ineligible to introduce the qualification clause into the Scotch Bill. He should be sorry to see any part of this great measure carried in opposition to the new constituency of Scotland.

Motion for withdrawing the clause agreed to, and the Bill passed.

PRIVILEGES OF PARLIAMENT BILL.] Mr. *Baring* said, that the Bill now stood for being committed, but, if the noble Lord (Althorp) objected to the principle of the Bill, it would be a great convenience that he should state his objections now, and that the sense of the House should be taken at this stage. If the noble Lord did not intend to offer any objection to the principle, but only to the details of the measure, he (Mr. Baring) should not trouble the House with any observations at present, but should content himself with moving that the Bill be committed.

Lord *Althorp* said, he did object to the principle of the Bill.

Mr. *Baring* understood that the noble Lord objected to the principle, and he would, therefore, address himself to that. With reference to the qualification, all he desired was, that a Member of Parliament should have a competency to render him independent. He did not mean to contend that Members of Parliament should possess very great wealth; but, he certainly was of opinion, that those who held such a responsible situation, ought, at least, to possess an independent competency. It was immaterial, perhaps, whether the qualification consisted of landed property, or any other description of property. While, however, he did not argue that Members of Parliament should be extremely rich, he would, on the other hand, guard against the admission of Members possessing only negative property—individuals encumbered with difficulties and debts which effectually destroyed their independence. His object was not, as had been asserted, to keep individuals of moderate property out of Parliament, but to prevent the admission of men who were so encumbered that they could not be considered independent. Such was the whole effect of this Bill, as it respected the interests of rich and poor. Whether the present qualification ought to be maintained was another question, which this Bill did not touch; it merely prevented men of ruined fortune from finding a shelter in that House from their creditors. His proposal to legislate on this subject was founded on a variety of cases, in which great scandal had arisen as regarded that House, and great injury as respected individuals. Why should such a privilege as the freedom of arrest be granted to 658 persons, merely because they happened to be Members of that House? The Bill gave no right to arrest a Member upon mesne process, or upon anything short of a final judgment of a competent Court. Under those circumstances, no Member could be lightly arrested, or, in fact, arrested at all, unless he laboured under an inability to keep his engagements. He moved that the Order of the Day for the House to resolve itself into a Committee on the Bill be read.

Lord *Althorp* said, he rose to state his objections. He had been inclined, in the first instance, to support the Bill, but, upon further consideration, he thought that the disadvantage which would arise from this measure would more than counterbalance any advantage it would produce. He admitted that there were some cases in which Members had abused their privileges, to the scandal of the House, and the injury of individuals. The number of such cases, however, was very small. The hon. Gentleman (Mr. Baring) had argued the case too much, as if the freedom from arrest was a personal privilege, merely for the benefit of Members, whereas it was part and parcel of those privileges conferred on the Members of that House for the benefit of the public. It seldom happened that persons took shelter in that House to preserve themselves from arrest, and he thought it would occur more rarely in future, for, when men had large constituencies to canvass, they must necessarily expose themselves to arrest, if previously embarrassed in circumstances, as their canvass would make their condition known. Under all the circumstances, he felt it his duty to meet the motion by a direct negative.

Mr. *Hunt* contended, that the Bill would be an act of injustice towards the whole people of England. If the people could not pay their debts, and certain Lords could not pay their debts, neither the one nor the other should be a Member of either House of Parliament. All Members of both Houses should pay their debts, or else they should not be eligible to seats in this House or the other. He thought this measure should be extended to the Members of the House of Peers as well as of the House of Commons; and if the Bill went into Committee he should, certainly, move the introduction of a clause to that effect. It was not the Members for large constituencies who had ever crept into that House for the purpose of defrauding their creditors —it was only the members for rotten boroughs. [*Cries of "No, no."*] He said yes, yes. Who ever heard of a man seeking to be returned for a large constituency for the purpose of screening himself from arrest? Mr. Swan had been returned for Penrhyn, and Mr. Christie Burton for Beverley. Neither of these individuals could appear when elected, for they were both in prison at the time.

Mr. *Hume* said, there could be no doubt that a certain qualification would be necessary, and indeed ought to be necessary, for Members of Parliament. He thought this Bill would interfere too much with the choice of the electors, who would in future be all honest men if hon. Members would abstain from bribing them. There were not many cases of bankrupt Members, and they would not get in a second time. As to the case of the banker at Bath, he should have thought that that individual might have been proceeded against criminally. It was, certainly, a deliberate fraud on the part of the hon. Member, and could not be too severely reprobated. Many years back, when things were different to what they now were, this Bill might have been useful. At present he hoped for a remedy for the abuses it proposed to correct from other sources.

Mr. *Praed* supported the measure. He could scarcely conceive that propositions so adequately sustained by proof, and recommendations advanced in a spirit of so much wisdom and moderation, could fail of support in a House ever so hostile to the hon. Member for Thetford (Mr. Baring) and the principles which he advocated. It was said that there were inconveniencies in this Bill as applied to the constituency, and hardships as applied to the Members. The hardships which attached to the Member were, that the measure would tend to render him more liable to his creditors than others of his Majesty's subjects. But they were not legislating for Members of Parliament, but for the country; and the Member would know well what were the hardships attaching to the situation his ambition aspired to when he came forward as a candidate. The consequences would be fully before him, and his choice subject only to his own determination. Under these circumstances he could not concur with those hon. Members who were disposed to make the hardships which this Bill would inflict a reason for their opposition. Then, as to the constituency, and the inconveniencies to which they would be subject under the enactments of this measure, he would ask how it was possible that a man borne down by the weight of debt, with a mind ill at ease, harassed, and subject to constant annoyances of clamorous creditors, how could such a man give his time or his faculties to the duties of his station in that House? Then upon the point of honesty. Was a needy man, coming into that House, more likely to act an honest part because he was needy? They were told, that by such a Bill as this men of great talents would be lost to the House; that Fox, Pitt, and Sheridan never would have found their way within those walls. If a man, insolvent in circumstances, dull of intellect, ignorant, of indolent and profligate habits, were pointed out to him as a Member of that House, he should say he would be of little use to his constituents. If, on the other hand, were pointed out to him a man of great and commanding powers of mind, and of commendable industry, subject to the harassing demands of creditors, he should say they could not show him a man likely to be more dangerous to the public as a Member of that House. An hon. Gentleman opposite said that there were few instances of Members being sued to judgment and execution. But the hon. Gentleman omitted to calculate how many creditors were deterred from prosecuting their claims, from the known difficulties which the privileges of Parliament threw in their way. The hon. member for Preston would not vote for the Bill, because it did not extend to the House of Peers. He saw no reason for rejecting the amendment of their own House, because they did not, at the same time, include the amendment of the other. The hon. member for Middlesex told them, that some years ago Parliament would have done well to have adopted such a measure as this. Did the honourable Member not know that, some years ago, a Bill upon the identical principle of this Bill was introduced and became the law of the land? He knew no reason why a trader should be subject to a rule, as regarded his sitting in that House, to which a gentleman should not be subject. He had read in a book containing an account of the first French Revolution, that even in the Legislative Assembly of that country and of those times a Bill of this kind was introduced. It had the sanction of Montesquieu, and was supported by Mirabeau. There was no Gatton nor Sarum in that country. A leading orator stated of that bill, that it was "the rallying point of honest men against rascals." He would scarcely venture to use such strong language with reference to he measure under the consideration of the House, but it had his cordial support.

Mr. *Sheil* observed, that the hon. Gentleman (Mr. Baring) said, he did not wish to affect land by this Bill; but, according to his reading of it, the provisions of this Bill would affect land; for judgments would reach land by the ordinary processes of law. His great objection to this measure was, that it was partial in its operation. It did not reach Peers and Bishops who were not in the Upper House. He knew a Bishop in his own country who was in the habit of setting his creditors at defiance, and against whom there had been thirty or forty judgments in a Term, to satisfy which the Bishop took care there should be no property of any description.

Sir *Henry Willoughby* said—The hon. member for Preston, the hon. member for the county of Middlesex, and my hon. and learned friend, the member for Louth, have not, as it appears to me, sufficiently adverted to the obvious distinctions between the cases of a Member of this House and a Peer of Parliament on the subject of privilege of freedom from arrest. Whether it may not be wise that the Legislature should interfere in both cases I now say nothing; but I contend that the hon. member for Thetford has exercised a wise and sound discretion in limiting the provisions of this Bill to Members of this House. There is little analogy between the two cases, which are not *pari materià*. In the case of the Peer the privilege is personal, not parliamentary; it is by prescription and by custom, as stated in a statute of Henry 6th, like the exemption from serving on Juries. The Peer is made to consult and assist the Crown in all emergencies; he must obey the King's summons; he is a member of the highest Court of Judicature, and one of a deliberative assembly of the highest class. You cannot divest him of his Peerage. Peer he is; Peer he must be. Whereas, in the case of a Member of this House, under this Bill, if he refuses to obey the final process of the law he ceases to be a Member. Then, and then only, the provisions will attach, and he will be treated as any other subject of the Crown. The policy of this Bill is not new. It has been constantly acted upon since the Revolution of 1688. The 12th and 13th Wm. 3rd 2, 3 Anne, 10 Geo. 2nd, 10 Geo. 3rd, and three other Acts of this reign, have gradually confined within a narrower and more confined circle the privilege of freedom from arrest. Why? Because in practice it had been found that this privilege was incompatible with the free and impartial administration of justice, harassing and vexatious to the King's subjects, and causing much delay in suits. Such is the language of the preambles of the Acts I have quoted. I call the attention of hon. Members to these statements who press arguments against the policy of that Bill. I am aware a great constitutional principle is involved. Every hon. Member is entitled within these walls to liberty of body and liberty of mind, not for his own benefit, but for that of his constituents. Sir, this Bill treats this principle with wisdom and caution. So long as a Member is within these walls he retains his privilege; but, if he places himself in a systematic opposition to the law—if he will not satisfy legal claims—in fact, if he will not perform duties imposed on all the subjects of the King, then, after due notice and plenty of time, his constituents will be called upon to elect another Representative under the provisions of this Bill. The noble Lord (the Chancellor of the Exchequer) has urged that few are the cases of abuse. I concur, but draw a different conclusion. Why allow the faults of a few to inflict a wound upon the whole House, and, perhaps, lessen the confidence of the people in its proceedings? Therefore, firmly persuaded that private integrity is no bad basis for public character, and that, if it is nice to frame constituencies which are sound and healthy, the same necessity exists as to the reputation of those who are to be elected and to become Representatives, I give my support to the proposal for a Committee, where difficulties of detail may be got rid of.

Lord *John Russell* agreed with the hon.

Member who had last addressed the House, that the grounds for including the Members of the other branch of the Legislature within the operation of this Bill, were very different from those which were applicable to the Members of that House. It might be true that, in the House of Lords, there were Peers who were not able to pay their debts; but no one would ever think of saying that they were made Peers with a view to save them from the consequences which they would experience, if they were not in Parliament, in case they did not pay their debts. He was satisfied of this, although he admitted that, during the last forty years, Peers might have been created, not from any honourable motives, nay, even from corrupt motives; for instance, if they supported an extravagant expenditure for the war in this House, they might have been promoted to the House of Peers. He did not think, however, that a case had ever occurred of a man being made a Peer for the purpose of preventing the payment of his debts. He could not look upon this question merely as a matter between debtor and creditor. He could only regard it as a trust reposed in the Members of the Legislature, not for their own advantage, but for the benefit of their constituents and the public; and, although this privilege might be abused by persons holding seats in this House, and might be exercised for their own convenience, considerable trouble would be occasioned if it were abrogated. At present, the House of Commons possessed and exercised the power of judging in certain cases, and in bankruptcy expelled the bankrupt, preventing him from being re-elected for a period. The object of the expulsion, in cases of bankruptcy was, that persons might not obtain seats in this House, with a view to avoid difficulties. It was well known that men of high talent and integrity were often careless in pecuniary matters, and it would be injudicious to exclude such persons from this House, because they might, on particular occasions, be unable to pay all their debts. Such power might be made a most improper use of, as hardly anything could be so objectionable as making the private affairs of Members the subject of party discussion. By this measure, the constituents were not called upon to consider the integrity and talents of a person they wished to represent them in this House, but had only to look to his pecuniary circumstances. He was sure the mere circumstance of being liable to expulsion, if a man was not able to pay his debts at the moment, would debar many, who would be most excellent Members of Parliament, from obtaining seats in the House. The Bill also raised the question, whether the circumstance of being in debt was an offence of greater magnitude than other acts overlooked by Parliament? The House must recollect a case which showed the impolicy of raising the question of the expulsion of Members. About the middle of the last century, a Member was expelled for having been guilty of a libel; he was re-elected; and, although he then was not suffered to take his seat, he ultimately triumphed, as the House did not proceed, but ordered the proceedings respecting him to be erased from the Journals. Such was the conduct of the House in the case of a person who had been convicted by a Jury of his country of having been the author of an indecent libel—an offence affecting much more the character of the individual and the character of the Parliament, than the not being able, within a few weeks of the meeting of Parliament, to liquidate his debts. But Parliament acted wisely and prudently in adopting that course; and it would be highly inexpedient to provide a remedy of this nature for the occurrence of that which certainly was only an occasional evil. If persons had availed themselves of the privileges of the House on some few occasions, for the purpose of evading their creditors, that did not justify a measure which might lead to the exclusion of those from the House who would be most useful Members. He was prepared to admit, that some remedy might be necessary to prevent the recurrence of such cases as had been alluded to, but it would be better to stop this Bill altogether, than to proceed to the consideration of details so objectionable as were most of the clauses in this Bill. He was satisfied, if it were persisted in, that it would exclude from the House many persons calculated to be of the most essential service; and that it would become a party engine in the hands of Government, or of a dominant faction.

Sir *Richard Vyvyan* said, the noble Lord had inappropriately confounded the expulsion of a Member with the Bill brought in by his hon. friend, the member for Thetford. The real question was, whether persons who were unable to meet their pecuniary engagements should remain Members of that House. He did not think that any fair analogy could be drawn between the state of the House of Commons and the House of Lords. To that observation he thought a sufficient answer had been given by his hon. friend, who said the House of Commons was a representative body, whilst the Peers had no constituents to whom they were accountable. It had been said by the hon. member for Middlesex, that the landed interest had always acted selfishly, and that they passed the Corn laws for their own immediate advantage. As well might it be said, that any Member holding funded property when he voted for the imposition of taxes was thereby voting money to pay himself. The fact was this, that Members, in legislating for the benefit of the country, at the same time often and necessarily promoted their own immediate interest.

Mr. *Lennard* also gave his support to the Bill, and said, that any objection to its details might be cured in the Committee. He agreed with Lord Mansfield, that a privilege from arrest, granted to some persons in a country, was an anomaly, and he thought that whatever law applied to other subjects ought also to apply to Members of that House, and of the House of Peers. He felt that it was impossible but the latter House must feel, when this Bill came before them, that it was partial, inasmuch as it did not include the Peers, and that they would supply the deficiency.

Sir *Robert Peel* said, that by going into Committee it would be open to any hon. Member to propose amendments, and the one just alluded to, as well as others, might be then suggested; but he should rather see any clause relating to Peers come from the other House, because he thought the Members of the House of Lords would naturally feel a jealousy of any interference with their privileges which did not originate with themselves. He must say, that he had not as yet heard any good reason, to show why this enactment should not apply to the Lords as well as to the Commons. We should not exclude men of genius from that House because their carelessness of pecuniary matters might lead them into pecuniary embarrassments, but he doubted very much the independence of such men as were involved in debt. At all events, such cases were exceptions, and the rule would still hold good, that a certain independence of property greatly contributed to the independence of a man's actions. If the Bill should pass through a Committee, he should be then prepared to weigh its inconveniences with its advantages, and he should vote whichever way, in his opinion, the balance lay. One thing he was certain of, and it was this, that the Members of the House of Commons ought to set an example of independence and integrity to the nation at large.

Mr. *Bernal* entertained a decided objection to the measure now before the House. He, however, did not deny that the principle of the Bill was just and proper, but, at the same time, he thought that it was not possible, either for a Committee of the whole House, or even a Committee up-stairs, to make it apply equitably to all parties whom its provisions might affect. There were many men, of highly estimable character and eminent talents, who might be involved, through actions of generosity and kindly fellow-feeling, without any discredit to their moral worth, and to exclude such a man, on such grounds, from this House, was going further than he was prepared to go; and he was sure it would be going a length which the hon. member for Thetford did not contemplate on introducing this measure. It was on these grounds, therefore, that he should oppose the Motion for going into Committee on this Bill.

Sir *Charles Wetherell* felt great difficulty in drawing the line which it was desirable should be drawn between those who ought, and those who ought not, to be Members of that House; but if he could not do all that he wished, he was disposed to go into Committee, and there do as much as he could. He always thought that there ought to be some test of qualification, and for his own part, he could never give up his opinions for those of the Political Unions. Though he did not know much of Political Unions, he had heard somewhat of their late resolutions, and he believed they were now reversing what had hitherto been the popular opinion. Formerly the popular cry was, that Members of Parliament should not be exempt from arrest for debt; but now the cry was changed, and those who used to call upon the House to see that Members paid their debts, now asserted that the payment of debt was no recommendation. He had even heard that some persons went so far as to assert that the possession of property was a disqualification.

Mr. *Sinclair* thought it was the duty of the House to provide for its own respectability, and he, therefore, should support the Bill.

Lord *William Lennox* had great pleasure in supporting the Motion of the hon. member for Thetford, after so much had been said of purifying the House of Commons, and he was delighted that it was about to be purified. Was it right, was it consistent, to keep a privilege that might be a disgrace to it? Why should Members of Parliament set their creditors at defiance, and perhaps ruin many hard-working individuals who lived on honest industry; and, even if it was not practically bad, the privilege, or rather the stigma, necessarily attached to it, ought to be removed.

Mr. *C. W. Wynn* was not ready to go so far as to declare that any person who should be one month in custody upon an execution, or three months upon *mesne* process, previous to an election, should thereby be declared ineligible. He should support the proposition for going into Committee, with a view of devising some means for correcting some of the gross abuses which might be practised under the existing law; and, within his own recollection, the most shameful advantages had been taken by Members of the privileges conferred upon them as Representatives of the people.

Mr. *Baring*, in reply, wished it to be understood that this measure was not suggested to him by any changes which had lately taken place in the Constitution of Parliament. It was well known to many hon. Members, that he had this measure in contemplation for several years, and he must say, that in his view of the subject of the late changes, he now thought it at least as necessary as ever.

The House divided:—Ayes 69; Noes 50—Majority 19.

Part of the AYES.

Baring, A.
Baring, H.
Best, Hon. W.
Blamire, W.
Burrell, Sir Charles
Chandos, Marquis of
Colborne, R.
Cole, A.
Conolly, Colonel
Dawson, G.
Denison, W.
Estcourt, T.
Fane, J. T.
Gilbert, D.
Gordon, W.
Goulburn, Rt. Hn. H.
Greene, T.
Harvey, D. W.
Hayes, Sir E.
Herries, J.
Hort, Sir J. W.
Ingestre, Lord.
Inglis, Sir R.
Jephson, C. D.
Jermyn, Lord
Kenyon, Hon. L.
Lefroy, T.
Lefroy, A.
Lennard, T. B.
Lennox, Lord W.
Lester, B.
Martin, Sir B.
Mildmay, P.
Pearse, J.
Peel, Sir R.
Perceval, Colonel
Phillips, G. R.
Porchester, Lord
Praed, W.
Ross, H.
Rumbold, C. E.
Sandon, Lord
Scott, H.
Shaw, F.
Sibthorp, Col.
Sinclair, G.
Thicknesse, R.
Thompson, Mr. Ald.
Vyvyan, Sir R.
Wall, B.
Wetherell, Sir C.
Willoughby, Sir H.
Wortley, Hon. J. S.
Wrightson, W.
Wynn, Rt. Hon. C. W.

Order of the Day read.

Mr. Baring moved that the Speaker leave the Chair.

House in Committee.—Amendments agreed to, and House resumed.

Report to be taken into consideration on a future day.

HOUSE OF LORDS,

Thursday, June 28, 1832.

MINUTES.] Papers ordered. On the Motion of the Earl of MORLEY, an Account of the Highest and Lowest Price at which, according to the Official Returns published in the *London Gazette*, Wheat has been sold in each of the twenty-four years, from June, 1808, to June, 1832, inclusive, stating the difference or fluctuation between the Highest and Lowest Prices in each year; the Average of Fluctuation in each three years, and the Average Price of each year as taken from the weekly Returns.

Petitions presented. By the Duke of LEINSTER, from Clogheen and Shanraham, for a Revision of the Criminal Code.—By the Earl of RADNOR, from Monaghan, for as extensive and efficient a Reform for Ireland as has been granted to England.—By the Marquess of SLIGO, from two Places in Ireland,—in favour of the Ministerial Plan of Education (Ireland).—By Lord KING, from five Places in Ireland, for the Abolition of Tithes, Church Rates, and Vestry Taxes.

TITHES (IRELAND), SECOND REPORT.] The Marquess of *Lansdown* laid on the Table the Second Report of the Select Committee on Tithes in Ireland, accompanied with minutes of the Evidence taken before it. The noble Marquess said, that as Bills would be immediately introduced in the other House of Parliament on this important subject, he should content himself at present with moving, that the Report which he had now presented, and the evidence which accompanied it, should be read.

The Report read.

The Marquess of Lansdown moved, that the Report and the minutes of Evidence taken before the Committee be printed.

Lord *Carbery* expressed a hope that this Report would be taken into consideration, and a discussion had upon it, before the Bills alluded to came up from the other House.

The Earl of *Wicklow* said, that this Report was so similar to the second Report of the Tithe Committee in the House of Commons, that it would appear that both Reports were the manufacture of the same hand. As far as he understood those

Reports, he was ready to say, that he would give them, generally speaking, his support, as he felt that the measures which they recommended, and which were about to be founded upon them, would be calculated to allay disturbance in Ireland, and to give satisfaction both to the clergy and laity there. He had only to regret that this Report came at such a late period of the Session, and that it had not accompanied the first Report from this Committee, to which was to be attributed a great portion of the evils that now afflicted Ireland on the subject of tithes. That first Report, in recommending the extinction of tithes in that country, had since completely carried into effect that recommendation.

The Marquess of *Westmeath* warned his Majesty's Ministers not to nail their colours to the mast on the question of tithes, for he could state, from his own practical knowledge, that the popular feeling in Ireland had become quite fanatical on that subject.

The Marquess of *Lansdown* said, that the similarity of the two Reports, to which the noble Earl had alluded, had naturally arisen from the circumstance of the Committees of both Houses having fully investigated the subject, in the same spirit, and with the same determination to arrive at those conclusions which the facts laid before them would warrant. The thorough sifting to which this important matter had been subjected, was the cause of the delay that had occurred in the presentation of this Report. He should have been as glad as the noble Earl if this Report could have accompanied the first Report on this subject, but when their Lordships reflected on the deliberate consideration which the Committee had to give to this subject, and on the time which they had to devote to the investigation and comparison of the several statements laid before them, and when their Lordships were informed, that it was only on the last day of the sitting of the Committee that some valuable statements, which would materially influence their Lordships' judgment in the question, had been obtained, their Lordships would see that it would have been impossible for the Committee, on a subject of such magnitude and importance, to come to a definitive Report at an earlier period; and though he admitted that it was most desirable that they should legislate with rapidity on this subject, they should not legislate on it at the expense of justice and discretion.

The Duke of *Cumberland* wished to know, if the Bills of which the noble Marquess had spoken would be introduced this Session?

The Marquess of *Lansdown:* Yes, immediately.

The Earl of *Wicklow* wished to know, whether the three bills recommended in the Report would be all brought forward this Session?

The Marquess of *Lansdown* said, that they would be all introduced in the other House of Parliament.

The Earl of *Malmesbury* said, that if such a system as this should be established in Ireland, a long time would not elapse before it would be demanded also in England. Such important measures as the noble Marquess had alluded to, ought not to be brought forward at such a late period of the Session, when it would be utterly impossible to have a proper discussion upon them. If those Bills should be introduced in the other House, they could not be before that House until the end of July, when most of their Lordships would be out of town. He understood that the notice for their introduction in the other House had been just postponed till this day week, and that at a period of the Session when a week was worth a month. It was impossible for their Lordships to get through, properly, the great mass of business which was thus rolled in on them towards the termination of a Session, and one cause of which was, that so few measures originated in that House.

Earl *Grey* said, that one cause of the load of business which came before their Lordships at the end of a Session, and to which the noble Earl had alluded, was, that many bills, such as Money Bills, could only originate in the other House of Parliament. The great accumulation of business which pressed on their Lordships towards the end of a Session was to be lamented, and should be avoided if possible; but it had always been so, and its being so now was not attributable to any want of diligence on the part of the other House of Parliament. During the present Session, for five out of six days in the week the House of Commons had sat, on an average, from five o'clock in the day until two o'clock in the morning, and it was impossible for it to get through more business than it did. He regretted that such an important subject as this should come before their Lordships at such a late period of the Session, but the pressing nature of the case was such, that it was absolutely indispensable for their Lordships to apply their minds to it, in order to put this unfortunate subject on a better footing if possible. With regard to the postponement of the introduction of the Bills in the other House until next week, that postponement was not attributable to the right hon. Gentleman who was to introduce them, but it was forced upon him by those who objected to the introduction of the measures, until the evidence was printed, and in the hands of the Members. It was impossible to refuse such a request, and that was the cause of the postponement of the Bills until this day week. As soon as they were introduced, he could assure their Lordships that they would be passed through the other House with all possible expedition, consistent with that careful consideration which was due to such an important subject. His Majesty's Ministers could not answer for the delays which might be interposed to the progress of the measure by those who were opposed to it, but, on their parts, no diligence should be wanting to push it through Parliament, and bring the subject to a conclusion. He was ready to admit, that there never was an important subject brought before Parliament which was accompanied with greater difficulties, but he trusted that the discussions on it would be conducted with no party feeling or spirit, but solely with a view to the settling of a question, until the settlement of which was effected, the prosperity and happiness of that interesting portion of his Majesty's dominions, which he believed was capable of a greater degree of prosperity than any other part of them, could never be established upon anything like a permanent footing.

Lord *Carbery* repeated his anxious hope, that they should have a discussion on this subject before the Bills came up from the House of Commons.

Lord *Ellenborough* concurred in the opinion just expressed by his noble friend. When those bills should come before that House, it would be impossible to obtain such an attendance of their Lordships as there ought to be on such an important subject. It would be in accordance both with precedent and reason, for his Majesty's Ministers, on such an important subject, to propose resolutions to the House, confirmatory of the Report now presented, and in that way a discussion would be had on the subject at once.

The Earl of *Wicklow*, thought that the second Bill of the three Bills recommended in the Report might originate in that House, and that thus the progress of the measures would be considerably facilitated.

Lord *Bexley* suggested, that the deductions which it was proposed by the Report to make from the incomes of the clergy, equivalent to the expense now incurred by them in the collection of their tithes, should be appropriated to the increase of the value of small livings, and to the building of churches in Ireland.

The Report and the evidence ordered to be printed.

RUSSIAN-DUTCH LOAN—CONVENTION WITH RUSSIA.] Earl Grey presented to the House, by his Majesty's command, a copy of the Convention between his Majesty and the Emperor of all the Russias, and moved that it be printed.

The Earl of *Aberdeen* said, that the noble Earl had departed from the usual practice of laying such documents simultaneously before both Houses, for a copy of this treaty had been yesterday laid before the House of Commons. He perceived from that copy, that this convention was signed on the 16th of November, 1831, and that by the first article of it, his Majesty engaged to recommend to his Parliament to enable him to make the payments guaranteed by the convention of 1815. When he recurred to the date of the convention, and when he recollected the arguments which had been made use of by his Majesty's Government, to justify the payment of these monies without the sanction of Parliament, he thought that there must be some mistake as to its date, and that it should be the 16th of June instead of the 16th of November, 1831. He would offer no opinion as to this convention now, as, seeing that his Majesty engaged to apply to Parliament to enable him to fulfil the engagements it contained, he presumed that the noble Earl would, at some time, and in some manner, call upon the House to do so, and that then they would be enabled to discuss the subject of this treaty. He observed that in this convention the two Powers referred to the convention of the 19th of May, 1815, and to an additional article connected with that convention. He believed that there was an additional article to the treaty of the 15th of May, which had never yet been laid before Parliament. Now, as the contents of that article might form part of the justification of his Majesty's Ministers for entering into this convention, he supposed the noble Earl would have no objection to the production of that document.

Earl *Grey* said, that with respect to the first point alluded to by the noble Earl, that of informality in not laying the paper before the two Houses on the same day, he had only to state, that he was on his way yesterday to that House, for the purpose of laying the papers before their Lordships, when he was met by several noble Lords, who informed him that the House had already adjourned. With respect to the other question of the noble Earl, he was not aware that he could, at that moment, give him any information. As to the additional article of May 15, he did not know that it had not been laid before Parliament. If it had not been produced, he supposed that some reason existed for adopting that course. For his own part, he was not aware of any objection to a compliance with the suggestion of the noble Earl. He hoped, however, that the noble Earl would not press for a positive answer, until he (Earl Grey) had an opportunity of making some inquiry on the subject.

PARLIAMENTARY REFORM — BILL FOR SCOTLAND—FIRST READING.] The *Lord Chancellor* said, he should, without any observation, call the attention of their Lordships to the Scotch Reform Bill, which had that evening been brought up from the other House. He should move "That the Bill be now read a first time." It might then be printed, preparatory to the Second Reading.—Bill read first time.

SCHOOLS OF ANATOMY.] The Earl of *Radnor* presented a Petition from William Cobbett, against the Anatomy Bill. The petitioner, in an elaborate essay, opposed the measure, and contended, that a due degree of anatomical knowledge could be procured without resorting to the provisions contained in this Bill.

The Earl of *Malmesbury* observed, that this Bill pressed hardly upon the poor, who would be most affected by its operation. The body of a poor man who died in the hospital, in consequence of an accident, might, if not claimed within a certain time, be made use of in the dissecting-room. Perhaps the individual himself might not care if his body were so treated; but he begged of their Lordships to look a little further, and consider what might be the feelings of his family. Individuals, perfect strangers in town, frequently sought for employment in the metropolis. They might, while employed by a builder, or any other tradesman, meet with accidents productive of death. Some time might elapse before their relatives were apprized of their fate, and then they would be horror-struck when they found that their bodies were consigned to the dissecting-room. If something could be done to obviate the objections that could fairly be raised against this measure, and, at the same time, to furnish an adequate number of bodies for the purposes of dissection, it would give him very great satisfaction.

The Earl of *Minto* said, that the poor were more concerned than any other portion of the community in the dissemination of surgical knowledge. In his opinion, therefore, no such inconveniences as those which had been adverted to by his noble friend ought to be allowed to stand in the way of this measure. In consequence of the extreme scarcity of subjects, those who were employed to supply the surgeons had, in many instances, been guilty of the most frightful crimes. One man, who had been executed at Edinburgh, confessed to the murder of between twenty-five and thirty persons; another individual, who had more recently undergone the sentence of the law, confessed to two murders. He also admitted two cases in which murder had been attempted, but the attempt had failed; and, on the morning of his execution, he was on the point of confessing another murder, when he was interrupted in his recital.

Lord *Wynford* said, he had been informed by a highly respectable practitioner, that a full supply of subjects could be obtained without resorting to the provisions of this Bill.

The Earl of *Minto* admitted that it would be an improvement, if the provisions of the Bill could be so framed as not to point out so distinctly as it did, that its operation had reference to a particular class.

Petition laid on the Table.

VACATION OF SEATS IN PARLIAMENT.] The Marquess of *Northampton*, in postponing, *sine die*, the second reading of the Bill to prevent Members of the House of Commons from vacating their seats on accepting office, said, that he was not one of those who entertained the opinion, that the subject to which the Bill referred was one with which their Lordships had no right to interfere. In bringing the question forward he had not been actuated by any party spirit. He was not impelled by a desire to serve any party; his motives were purely of a public nature. His reason for now moving the postponement of the Bill was, because, as they had arrived at so late a period of the Session, he feared that it would not be possible to carry the measure through. If some individual of greater influence than himself did not take up the subject, he would himself, at a future period, again bring it forward.

The order for the second reading of the Bill discharged.

HOUSE OF COMMONS,

Thursday, June 28, 1832.

MINUTES.] Bill. Read a third time:—Union of Parishes (Ireland).

Petitions presented. By Mr. EWART, from Dudley; and by Mr. BLAMIRE, from Bainbridge and Broughton,—for a Revision of the Criminal Code, and Abolishing the Punishment of Death.—By Sir ANDREW AGNEW, from Lambeth; and by Mr. G. DUDLEY RYDER, from Chichester and Campden,—for a better observance of the Lord's Day; and by the latter HON. MEMBER, from four Places, against Political Unions, and the Irish Reform Bill.—By Mr. JAMES E. GORDON, from Ballinrobe, against the Ministerial Plan of Education (Ireland).—By Mr. O'CONNELL, from the Lambeth Political Union, against the Privileges of Parliament Bill; and from three Places in Ireland, for the Abolition of Tithes.—By Mr. WARBURTON, from Mr. Smith Hall, against Restrictions on the Press in New South Wales.

CASE OF THE BOY SCOTT.] Mr. *O'Connell* begged to call the attention of the hon. Under-Secretary for the Home Department to an account which appeared in *The Times* of Tuesday, of a transaction which had taken place at the Thames Police Office. A man named William Stitch had been brought before the Magistrates, on a charge of flogging a boy, named John Scott, and never had there been an instance of greater brutality exhibited, than that which the account in *The Times* purported to give. The boy's person had been examined, and the Magistrates expressed their horror at what they saw, and a certificate was handed to the Magistrates, of this tenor:—'I certify 'that I have this day, June 23, examined 'John Scott, and I find his back, sides, 'shoulders, and arms, much bruised 'and wounded, from severe flogging with 'a rope. The appearances are such as 'could only have been inflicted by severe 'and most brutal means.—J. SHERWIN, 'Surgeon, Greenwich.' Now, if this report were true, and that the Magistrates had not apprised the lad that the proper means of proceeding were not criminally but by action, they had not done well; for, by not giving him this information, the boy lost all right of action at law, inasmuch as the certificate of the Magistrate, of the infliction of a fine of 5*l.* and costs, which had taken place in this instance, could be pleaded under the Statute in bar to any action for the same assault. Moreover, the 5*l.* penalty did not go to the party injured, but to the county-rates. If, then, it were true that the magistrates had neglected to give the boy this information, and leave him his option, they had been, in his (Mr. O'Connell's) opinion, guilty of a gross dereliction of their duty, for this was the case of a boy of only fourteen years of age, and totally ignorant of his rights under the law. He wished to know, as he had given the hon. Gentleman notice of this question, whether any inquiry had been made into the facts of this case.

Mr. *Lamb* regretted, that owing to an accident, he had not been able to communicate with the Magistrates who were present. However, he had seen some of those who were present, and bating for some small exaggeration of expression, he did not believe that the brutality of the case had been overstated. But, if the matter were properly considered, it would, he thought, be seen that the Magistrates were chargeable, not from any misconduct on their part, but from the defect of the law. This was a very poor boy, without any parent or friend, save a mother in a miserable state of poverty; and, in all probability, the Magistrates had, for this reason, imposed the highest penalty it was in their power to inflict, for fear that otherwise this crime might altogether escape with impunity. Supposing, for instance, that they had bound over the boy and his mother to prosecute, it was more than probable that they would never appear at the Quarter Sessions, and, instead of paying a penalty of 5*l.*, the criminal might not suffer any punishment at all. He agreed with the hon. member for Kerry, that the magistrates ought to have informed the boy of the law, and he hoped they had done so; but of that he could not assert any thing, as he did not know what their conduct in this respect had been. They seemed, however, to have done all that was in their power, and finding that the boy was an apprentice, they had given directions that he should on no account go back to the same vessel, but that the officers should look out for another to place him on board of. If the hon. Gentleman was not satisfied with this explanation, he should make further inquiry.

Mr. *O'Connell* said, that his attention had been drawn to the case by a highly respectable professional man, who had declared, were it not for this penalty, the boy should have the means of obtaining adequate remuneration for his sufferings. The course which he (Mr. O'Connell) intended to pursue, should he have a seat in the House in a future Session, would be, to bring in a bill to take away the power of pleading the Magistrates' certificate in bar of a civil action, but leaving it in full force so as to prevent a double prosecution.

Subject dropped.

COLONY OF NEW SOUTH WALES.] Mr. *Henry Lytton Bulwer* presented the Petition of the Free Inhabitants of New South Wales, for the introduction into that colony of Trial by Jury, and for a Representative Assembly.

Ordered to be printed.

The hon. Member proceeded to bring under the notice of the House a Motion on the subject, and said, notwithstanding the support which he received from the petition which he had just laid upon the Table, he confessed that he felt considerable reluctance in first undertaking to bring forward the present Motion. It was so natural for hon. Gentlemen to imagine, that a young man would enter the House with all that fervour and eagerness of imagination, which would at once induce him to grasp at every theory that proffered freedom, without considering the relative nature of that word, its varying and doubtful signification—dependant on time—on circumstances—on the local and social position of the people to whom it might be applied; he was so fully sensible that a youthful inexperience might naturally and fairly be identified with a kind of visionary enthusiasm, that he felt anxious, a little for his own sake, but more particularly for the sake of the colonists, that their case should be in the hands of one possessing a longer standing in the House, and a more established character. But as he went further into the case, and he had spared no pains to do so, he felt so strengthened at every step by practical and important facts, by sound and indisputable authority, that all his hesitation ceased, feeling perfectly confident that, if the House would but indulge him with some portion of its attention, he should be able to convince it, that there never was a request made to it, founded on more legitimate ground, supported by more solid and sober argument, than that of the New South Wales petitioners. He stopped for a moment to notice a prejudice which existed to a limited, but still to a certain extent, in respect to the colony in question. Having first been occupied solely by a few convicts, the idea arising from former associations was almost involuntarily present to the minds of many when they heard it spoken of. A name was frequently of much importance; and, notwithstanding the many attempts which had been made by the colonists themselves to cover their former history under the various and somewhat magnificent appellations of New South Wales, Australia, and Australasia, the more homely name of Botany still stuck to them, and to it was attached the notion of a small penal settlement, exclusively inhabited by thieves and pickpockets. In order at once to remove this prejudice—in order to convince the House that the colony of New South Wales was fairly worthy of their consideration, as well as fully justified in its present petition, he would mention a few statistical details, to which he earnestly intreated hon. Gentlemen's attention:—There were grown in New South Wales, hemp, flax, tobacco, and sugar. Its principal exports were, timber, wool, and whale-oil; more particularly the two latter. Of wool, then, there were exported in 1822, 172,880lbs.; and in 1829, 1,005,883lbs; being six times as much as in the former period. So in the whale fishery; in 1825 it employed three vessels; and in 1831 it employed twenty-five vessels; having increased in six years to eight times the number.

The Imports in 1828 were	..	£570,000
And in 1829 ..	..	601,000
Increase	.	£31,000
The Exports in 1828 were	..	90,050
And in 1829	..	161,716
		£71,666

An increase of more than one-half. The number of ships entering Port Jackson alone in 1829, were 161, of 37,342 tons burden. The Revenue up to the 1st of January, 1829, as given in the Appendix to the Report on Australian Colonies, was 102,577*l.* 14*s.* 2¾*d.*

	£	*s.*	*d.*
Balance in Treasury ..	11,216	8	3¾
Fixed Revenue	82,456	1	6¾
Incidental ditto	8,905	4	4½
	£102,577	14	2¾

Of which above 80,000*l.* was taxation. In regard to the population, there seemed a most singular uncertainty. According to the returns of 1828, the amount was 36,598. Out of this population, 15,666 were convicts; leaving 20,930 free inhabitants. But by referring to the population returns of preceding years, it was found that in 1824, the population was 33,595; so that the whole population had only increased by about 3,000 in the five years. Now the population in those five years had, according to our lists of the persons transported, been increased by convicts alone, 10,005. To make, therefore, the census of 1828 correct, the free inhabitants must have decreased in these five years by about 7,000, a proposition perfectly absurd. In the year 1828, Mr. Huskisson stated the total population to be 49,000; it could not have suddenly decreased between the return and this assertion by 13,000. Take, then, this calculation of Mr. Huskisson as correct, since, in regard to the number of convicts stated, namely, 15,666, there could not be any error, the free population would then have amounted to 33,334. The colonists themselves stated it much higher. Instead, then, of this colony being an insignificant and guilty spot, without wealth, capability, or importance, and inhabited only by a few outcasts of society, it possessed vast and daily increasing resources; it contained a large population of free Englishmen; the products of every country in the world, within the temperate and torrid zone, might be cultivated there; the stream of our stifled and dammed-up state of civilization might be profitably directed thither, whilst with these real and immediate advantages, was connected the magnificent idea, that through this colony we possessed the means of spreading the British language, and for a while the British empire, to as wide an extent to the East, as our colonies had carried it to the West. But it was not only on account of these circumstances, interesting as they were, that he had come forward as the advocate of the colonists of New South Wales. Stories had reached this country of the most atrocious acts of injustice and misrule. They had heard of persons illegally transported, who had been solemnly acquitted by a Court of Justice. Tales, however monstrous they might appear, of the application of the torture, had reached our ears. It would be unjust to believe them on *ex parte* evidence; but when he heard them talked of in society, mentioned in that House, promulgated everywhere by public rumour, he did feel the deepest disgust and abhorrence, not that any person should have committed such misdeeds, for he could not as yet believe that they had been committed, but that any person within the limits of the British dominions should have possessed a power which could render it possible for him to be accused of having committed them. Wherever extraordinary power was given, an extraordinary temptation would exist to misconduct; and no such power, therefore, ought ever to be given, except where there was to the full as strong a proof of its necessity, as there was a probability of its abuse. Now, according to the present system, the governor of New South Wales had the power of levying taxes on the importation of all goods—of disposing of the whole revenue of the colony; the distribution of convict labour, so important in such a colony, was subject to his decision; he could accord a pardon for all offences; he had assumed the right of suspending all public functionaries from their employments; he could actually enforce laws which the Judges might declare repugnant to the laws of England, and dispose of places to more than the amount of 20,000*l.* a year. The only control to this authority —if control it could be called—was a Council sitting with closed doors, and consisting of fifteen members, eight of whom sat *ex officio*, while seven were named by the Government here, according to the recommendation of the Governor in the colony. With this extraordinary authority was coupled an almost equally extraordinary facility for abusing it with impunity. If any free colonist was anxious to petition the Government at home, he had to send his petition through the Governor, who subjoined his answer and defence, which the petitioner had no opportunity of seeing. Now, when hon. Gentlemen considered the advantages, not only of having the last word, but of knowing also the person and the tone and language which would suit the person to be addressed, they would see it could be little less than a miracle which could make a petitioner successful. At all events, during the time which it was necessary to wait for an answer, almost twelve months, he remained exposed to the full weight of the Governor's displeasure, who might force his cattle to perish from drought—who could deprive him of the labour of his servants, or withdraw from him any official post or advantage of which he might be possessed. It was as some check to a power of this description that the colony petitioned for Legislative Assemblies and Trial by Jury. In regard to Trial by Jury under the existing system, the Court in all civil cases consisted of a Judge and two Magistrates, from which either of the parties might appeal to a Civil Jury, which the Judge might either grant or refuse; but in all criminal cases the Jury consisted of seven military officers, practically chosen by the Governor, and paid by the Governor while employed in this kind of service. By a regulation of the late Colonial Secretary, it had been determined, that, in all cases where the Governor was directly concerned, that there a civil Jury should be granted; but it was needless to point out the difficulty of deciding upon such cases, since it might frequently happen, that the Governor was deeply concerned in a case in which he did not appear by name. But this was a question, not between the Governor and the accused, but between the law and the free colonist, who demanded as an Englishman, as his hereditary right, that ancient institution, so peculiarly his own as to have been called the characteristic of the British race, distinguishing them from every other branch of the human species; and why was he refused this? Did other colonies, possessing a similar population, not enjoy it? There were twelve colonies—Jamaica, the Bahamas, Barbadoes, St. Vincent, Grenada, Tobago, Dominica, Montserrat, Nevis, St. Kitts, Tortola, and Antigua, with only one-quarter of the number of free inhabitants of New South Wales, which possessed both Legislative Assemblies and Trial by Jury. Was there anything so extraordinary, then, in the state of society in New South Wales as to render it necessary to make it an exception to the general rule? It might be said, that if you grant the privilege of being a Juror to a free colonist, you cannot withhold it from an emancipist, and that an emancipist would not be a proper person to sit in judgment upon a free colonist; but the number of emancipists possessing the property necessary for the qualification of a Juryman was small in proportion to the other free inhabitants; so that no evil of any consequence could result from this; and, indeed, in those cases where Trial by Jury was allowed, and where colonists and emancipists sit together, no objection was made. This, in fact, seemed a good method of uniting and amalgamating the two classes. But, if any objection existed as to an emancipist sitting as Juryman upon a free colonist, was there no objection to an officer in the army, a man nicely sensitive on all points of honour and character, sitting in judgment on an emancipist or a convict? Would not all the habits and dispositions of this officer induce him to regard the individual before him—an individual who had once been convicted of crime — with disgust and abhorrence. Would he not condemn him at once by his feelings, before his reason had time to pass a sentence? As to the practical working of the present system, it appeared from documents he held in his hand, that while the law had become more severe by the facility with which conviction was procured, a corresponding increase had taken place in crime:—There were

130	Convictions in	1820
136	Do.	1822
217	Do.	1828
266	Do.	1829
278	Do.	1830

'Nor is it easy to conjecture,' said a gentleman learned in the law, and long resident in New South Wales, 'what will be the 'result of this almost geometrical progres-'sion in the rigour of punishments and 'continued contemporaneous increase of 'crime. Pending the process which has 'actually taken place in New South Wales 'in three years, murders, which were seven 'in number in 1828, increased to eleven 'in 1830; unnatural crimes increased at the 'rate of 150 per cent; and rapes at the rate 'of 300 per cent during the same period 'of time.' In proof of what he had said, as to the impropriety of officers sitting in judgment on convicts and emancipists, he had a letter in the hand-writing of the foreman of a Jury, found in the Jury-box, of which he could not avoid reading the last sentence:—"Seven officers to be kept kicking their heels in a Court, doing nothing for five or six hours, about the damned rascally convicts." This was the spirit with which the foreman of this military Jury had been sitting in judgment on the life of a fellow-creature. But, even supposing the ends of justice were equally answered, were the forms of justice to be considered nothing? They were everything to men distant from their country. These forms spoke to them of the history of their forefathers—of that which was still passing near their ancient homes—of the early habits and recollections of their youth—of the antique liberty and of all those things which had descended to them—and which Justice, arrayed in such forms as these, had, through various storms and revolutions of the State, triumphantly defended. Now, what was the class of persons wanted in the colony? Not wealthy men, in that situation of society which rendered it impossible for them to be dragged into a Court of Justice. What the colony wanted was the poor mechanic—the poor husbandman, whom suspicion and poverty might place, even when innocent, in this situation. If such a person as this were to land at Sydney and to go into a Court of Justice, he would see the Judge sitting upon the Bench arrayed in his ordinary robes; the prisoner would be at the bar, the Counsel in attendance; everything would wear the solemn and citizen-like appearance he had been accustomed to in his native country, till his eye fell upon the Jury-box. The very appearance of the military uniform, so odious to Englishmen when displayed on civil occasions—the notion which, whether justly or unjustly, prevailed in respect to military men—their recklessness and levity, their want of seriousness and of religion—the idea arising from their profession, that they were careless of the spilling of human blood—these things, and the thoughts arising from these things, would shock and startle him when he saw seven officers sitting in judgment, with their swords beside them, on the life of a fellow-citizen. The Englishman who saw this, and who felt that he might be placed in the situation of the prisoner at the bar would not think his life safe under such a system. He would either immediately quit the colony, or, if he could not do this, he would enter into immediate hostility against a Government which sanctioned acts so contrary to his habits and feelings. At all events, would it not be wise to be consistent? If it was intended to keep New South Wales as a penal settlement, to restrain or drive back the tide of emigration we had been directing thither, our policy would be intelligible, if it were nothing better. But was it right, could it be right, when we were actually giving a premium to emigration, and doubting whether we should send out any more convicts there at all, to adhere pertinaciously to a system so hostile and odious to free settlers? But what the House would most look to would be, the practicability of the measure he was advocating, and the authorities in support of it. In 1811, before the Transportation Committee, then sitting—

'Governor Hunter, formerly Governor 'of this colony, says, there are many re'spectable families gone from England, 'which induced me to recommend to Go'vernment to make a change in the mode 'of trial in the Courts there, and to intro'duce the Trial by Jury there; there are 'so many decent people there now, they 'may change their Juries as often as they 'please; there are a great many decent 'people there who are fit to serve on 'Juries.'

Again—'Were there a sufficient num'ber of such people in the colony before 'you left it?—There were.

'And did that number appear to you 'to be annually increasing?—Yes; I 'thought so.

'Mr. J. Palmer, Commissary-General: 'Is it the wish of the inhabitants to have 'a Jury instituted?—Yes; of every one.

'Did it appear to you that there was 'a sufficient number of respectable in'habitants to establish a Trial by Jury? '—Yes, there are a great number of free 'settlers now.

'Is that respectable part of the society 'increasing?—Yes, there are a great many 'families and children.

'Governor Bligh (1808): Did it appear 'to you that there were a number of settlers 'sufficient in the colony to furnish Juries? '—Yes.

'And of characters sufficiently good 'to enable you to place reliance upon 'them?—Yes; and I think their decisions 'would have been fairer than those that 'took place without them.'

In confirmation of these various authorities the Committee stated, that it was their opinion 'that the manner of administering 'criminal justice may be altered with great 'advantage to the colony. It is not to be 'expected that its inhabitants should 'view otherwise than with jealousy and 'discontent, a system which resembles 'rather a court-martial than the mode of 'trial the advantages of which they have 'been accustomed to see and to enjoy in 'their own country.' * * * 'A numerous 'class of respectable persons is now formed 'within the settlement, amply sufficient 'to warrant the establishment of that Trial 'by Jury, for which they were anxiously 'wishing.' Nor were these his only authorities: when he looked to this House, he found in 1823, that—'Sir Thomas Denman con'tended against the policy of appointing 'officers in the army and navy to decide 'questions on which property, liberty, and 'even life might depend. He would give 'the colonists the advantage of Jury Trial, 'as in England.'* On the words a "Jury of twelve men, duly qualified to serve," being proposed in lieu of officers in the army and navy, a division took place: among the minority were Denman, D. Gilbert, J. C. Hobhouse, D. Ricardo, T. S. Rice, J. Scarlett, W. Wilberforce, Mackintosh. There was one gentleman whom he had still to speak of—a gentleman whom the colonists could never think of but with gratitude, whom he could never speak of but with reverence—a gentleman whom he could never more see in his place—whose splendid eloquence, whose generous spirit, whose extended and philosophic views, would long be in the remembrance of those who heard him. It was four years ago since the late member for Knaresborough had presented a petition, nearly similar to that which he had that evening presented, and if he had had no other authority, this authority alone he should have considered sufficient on a legislative and colonial question. Thus far, then, he had shown that twelve other colonies possessed both Trial by Jury and legislative assemblies, for which New South Wales was then petitioning. While, as far as the former was concerned, he had the authority of the Committee on Transportation, in 1811, among whom were the names of Sir S. Romilly, Mr. Abercromby, Mr. Secretary Ryder, Mr. Brand, Lord Grenville, Mr. Goulburn, Sir Robert Peel, and Mr. Horner. In 1823, he had also the authority of Mr. Ricardo, Mr. Wilberforce, Mr. Spring Rice, Sir John Cam Hobhouse, Mr. D. Gilbert, Sir Thomas Denman, and Sir James Mackintosh; so also that of Admiral Hunter, Admiral Bligh, Sir Thomas Brisbane, the two Judges (Forbes and Stephen), Governor Macquarrie, all of whom had lived and held situations in this colony. He had all these authorities against New South Wales being made an exception to the other colonies he had mentioned; while, more than all this there existed the authority of an increase of crime to the amount of 100, 130, and 300 per cent against the present system; there he should leave the question as far as it concerned Trial by Jury. The second part of this subject which he had now to introduce to the House, and on which the petitioners hardly set less value than on that in which he trusted he had succeeded, was, the grant of a legislative assembly; or, at all events, the recognition in that colony of the principles of Representation. At the distance at which Members were divided by an immensity of ocean from this colony, perplexed by a variety of testimony, most difficult, indeed, was it to determine whether, in any degree, and if so, in what degree, the prayer of the petitioners ought to be complied with. No one, he thought, would dispute the general proposition, which he would not take up the time of the House by expatiating upon. No one would dispute the general policy of diminishing the distance between ourselves and our colonies by an approachment of laws and of customs which proceeded from laws, by the establishment of that connection, the closest we could invent—a similarity of habits and of thought, proceeding from a similarity of institutions. But, in fairly confessing that he was not one of those who contended that any rule, however excellent in general, admitted of a blind universality of practice, he still did contend, that if a rule were generally applicable, it would not lie with him to show the propriety of its present application, but with the noble Lord opposite (Lord Howick) to convince the House that it could not safely and properly be applied in this instance. What were the principles on which Representation rested? Population and taxation. Here was a colony unrepresented, possessing a population four times more numerous than the whole population taken together of twelve colonies which had legislative assemblies. Here was a colony with a revenue of above 100,000*l.* per year, and which actually yielded in taxes more than the United States of America did prior to their revolution. But the noble Lord might say, that the state of society was very peculiar in that colony. This he granted, and he said, from this very circumstance, that it was peculiarly objectionable to send out a Governor from this country with arbitrary power over a curiously amalgamated population, with the singular combination of which, uniting the most singular combination of passions and feelings it was possible to conceive, he must be totally and wholly unacquainted; but a powerful government was required for the preservation of property in a country, a great proportion of the population of which were professionally thieves. This he granted also, and he said, that a powerful government for the preservation of property was a government in which the great bulk of persons possessing property was enlisted; that, in short, from all that could be said on this subject, he would appeal to the petition he had laid upon the Table, and would say, that as every government must be unwise, so every government must be weak, against which was arrayed so numerous and respectable a portion of its subjects as those whose names were affixed to that petition. After what he had stated, he did think that those who opposed the measure ought rather to prove that it was not possible, than that he should be called upon to prove its practicability. This he would do, however. According to the returns made in 1827 of those persons then qualified to serve on Grand and Petty Juries at Quarter Sessions, it appeared that

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* Hansard (new series) vol. ix. p. 1452.

Sydney had	406
Paramatta	220
Newcastle	131
Windsor	268
Liverpool	74
	1,099

In these five districts, then, there was a respectable constituency of 1,100 — of whom he understood from gentlemen acquainted with them, there were about 120 emancipists. He believed, moreover, that hon. Members would find among this number upwards of 100 who possessed more than 500*l.* per ann., in which number twenty might be emancipists. From these persons surely a respectable body might be chosen, nor could the emancipists, in so small a proportion in the electing body and the body to be elected, obtain a share in the Legislature improper to assign them. Their influence, indeed, would become much less when the remaining districts were included of Hunter's River, Bathurst, Campbell Town, Argyll, which were composed almost entirely of free settlers. Here, then, were all the elements, he repeated, which could possibly be desired for Representation. But if there might be some difficulties, some inconveniences in working out the change he suggested, was there no spot nor blemish in the present system? Had that been immaculate from all inconveniences and evils? Had there been no barbarous enactments against the Press, to which the Government here was obliged to refuse its sanction? No unjust prosecutions against the Press, which, though supported by a military tribunal, had been reversed by a civil Jury? Was it a fact—he asked for information — that Mr. Hall was actually in prison for five sentences which had been passed upon him by the military court at the same time that he received damages for these very sentences by a civil Jury? Had convicts never been illegally and violently withdrawn from the persons to whom they had been assigned contrary to the solemn opinion of the Judges? Had lands been distributed without favour; or was it a fact, that in the grant of lands in Elizabeth Cove, fifty-four acres, comprising the whole bay frontage, and six times as much as any accorded to any other individuals, were given to one person. Were these things true? But supposing them to be exaggerated and misrepresented—and it was fair, perhaps, at this moment, so to suppose them—was there no evil, no inconvenience, in Members being daily assailed here by the most incredible stories proceeding from the most credible authorities, without the possibility, by referring to the general acts of a popularly elected assembly in the colony, to know whether such stories were really the complaints of much oppressed persons, or the wicked inventions of malicious accusers. He could assure the House that he felt the difficulty in his own person of the situation in which this circumstance had placed him. But even on the grounds of economy alone, setting aside, for the moment, every other argument—he conceived on the grounds of economy alone, that a change in the government of New South Wales was loudly called for. By a Parliamentary Return, No. 587, of 1830, it appeared that no less than 10,962*l.* 2*s.* 6*d.* was received by military men, either by way of pension, or for performing civil duties, in addition to their regimental pay. It also appeared from the same documents, that 750*l.* a-year pension was granted to the Colonial Secretary, in addition to 2,000*l.* per annum, and other perquisites, which pension, though received for services here, was paid out of the colonial revenue. The commissariat expenses, he was confidently assured, had alone increased in salaries to clerks from 5,000*l.* per ann. since the time when both Sydney and Van Diemen's Land were united, to 10,000*l.* a-year for the former colony alone, in the space of less than five years. The police establishment increased in the space of four years—namely, from 1825 to 1828, more than double—being in 1825, 8,945*l.* 8*s.* 2*d.*; and in 1828, 20,556*l.* 8*s.* 2½*d.*; while the population according to the Parliamentary Returns, at least, was increased from 1824 to 1829 by only 3,000 individuals, but these were the details which the hon. member for Middlesex would, in all probability, expatiate upon. He had most sincerely to apologize for the length of time he had occupied the House. But he felt that he had been speaking not only for a specific case, but against a general system. There was hardly any writer on colonial policy who had not deeply lamented the unfortunate jealousy we had ever shown in giving those civil advantages to our colonies of which we were so justly proud ourselves. During the short time he had been in that House, he had heard more frequent propositions made to withdraw commercial advantages and protections from our colonies, to which he was perhaps not opposed, than for giving them legislative improvements; the House had frequently complained of their cost; it would have done better by allowing them the management of their own resources. If the House meant the colonies to pay for themselves, it must allow them to govern themselves; it must get rid of that Downing-street Administration, so ably satirized by Swift, in his picture of a tailor measuring a man in the moon by the aid of a telescope. It had been by the long train of evils, a wrong sytem of governing our colonies had engendered, that the commencement of a belief had been induced—which was of the most serious nature—namely, that we might as well be without any colonies at all. It was on this account—on this account alone—that he thought the House was bound to give attention to such subjects as that now before them. But if such attention was demanded from all, more particularly might it be demanded from those who, like himself, had been the advocates of a measure, which, whatever might be its advantages—and great, he believed its advantages would be—would have the immediate effect of removing from the House many of those Gentlemen who had been the most talented and able supporters of the colonies. Most frankly, then, did he say, that it was incumbent on himself and all Reformers to show that their protestations had not been mere vulgar verbiage—to prove that they had really and sincerely believed that which they had so loudly asserted—namely, that public sympathy would supply the place of private interest, and that every British subject, in the most remote corner of our possessions, would find a ready defender in a Member of Parliament, fairly and freely chosen by the people of great Britain. "And now again to apologize (said the hon. Member) for the length of my intrusion, may I be allowed to recall the attention of the House to the course of argument I have attempted to pursue? I have shown that this colony is of the utmost interest, and that it would possess, under a good system of Government, all the qualities which could invite to emigration; secondly, that the present government is a bad one, full of extravagances and abuses, and calculated from its arbitrary nature to be odious to free settlers. As a change, then, and improvement of this system, I have supported the prayer of the Petition for some species of Representative Assembly, and the full extension of Trial by Jury. In regard to the first, a Legislative Assembly, I have shown, that on the two principles on which Representation rests—taxation and population—New South Wales is eminently entitled to it. I have proved, moreover, that the colony possesses the materials for such an institution both as to an electing and to be elected body. I hope I have shown, in short, that no great practical inconveniences lay in its way, and that great practical evils result from the want of it—an enormous expenditure, and a variety of complaints, of which it is impossible to decide upon the justice, when there is no respectable body by whom they might be publicly discussed in the colony itself. In regard to the second object of the petition, Trial by Jury, I think that I have proved, not only that New South Wales affords a most singular exception to our other colonies in this particular, but, that the first practical authorities who have visited this colony, as well as the most able Gentlemen in this House, have declared, that they saw no reason for keeping it as such an exception. In 1811, the Transportation Committee, with Sir S. Romilly—in 1823 many Gentlemen opposite, among whom was the present Attorney-General—were of my present opinion. So that instead of being rash or presumptuous in my desires, I am only asking in 1832 for what it was considered by many of sober judgment, and high authority, wise and prudent to concede in 1823 and in 1812. While, as a still further and stronger evidence against the existing system, I can show by an enormous increase of convictions, and a proportionate increase of crime, that it is the more completely inefficient, the more rigidly it is enforced. Now surely, Sir, there is here a great moral and legislative lesson. In that colony, which is unrepresented, we find the severest taxation; in that colony which is without Trial by Jury, the most terrible increase in crime. We are now enlarging the basis of Representation in this country to its widest extent: shall we at the same time repudiate from our colonies its very first principles? We have lately been declaring by the Jury Consolidation Act, that no officer in the army or navy can act as a Juryman in England. Shall we now determine that only officers in the army or navy shall act as Jurymen in New South Wales? Let me entreat the noble Lord, whose name is another term for liberty in this country, to extend its synonymous signification to other and more distant shores. Let me entreat him not only to use those talents for debate which I know are his; let me entreat him also to have recourse to that spirit of conciliation so necessary to a Statesman and a Legislator. Let me entreat him, in short, not to refuse the prayer of the petitioners, unless he can give a strong proof of the unreasonableness of their demands, as I trust, perhaps improperly, they have given of their policy and their justice. The hon. Member concluded by moving an Address to his Majesty to give the colony of New South Wales a Legislative Assembly and the Trial by Jury.

Mr. *Robinson* seconded the Motion. After the statement which had been made by his hon. friend, the *onus probandi* lay on the noble Lord to show that there was something peculiar in the colony of New South Wales, which rendered it necessary to continue in that colony a system so opposite to the Constitution, so arbitrary, and so liable to abuse. The only difference between New South Wales and other colonies was, that it was originally a penal colony; but the question was, whether a change had not taken place in the circumstances of the colony since its establishment, which warranted the improvements recommended by his hon. friend? With respect to one of them—the Trial by Jury—he could see no reason whatever for entertaining the slightest doubt that its adoption would, in every respect, be highly beneficial; for—

Lord *Howick* begged to be permitted to observe, that within the last four days, despatches had been received from the Governor of New South Wales, by which it appeared, that in pursuance of authority which he had received from his Majesty's Government, previous to his leaving this country, he had announced to the colony that Juries would shortly be established in criminal cases. He stated this for the information of the hon. member for Worcester; and he had not stated it during the speech of the hon. member for Coventry, because he knew that that hon. Member was aware of the fact.

Mr. *Robinson* still thought, that means should be taken to assimilate the institutions of the colony of New South Wales, in all respects, as far as it was practicable, to the institutions of our other colonies. He allowed that he did not believe that representative bodies, like those in the West-India colonies, were as yet altogether fit for New South Wales; but, he thought that the time had arrived when that colony ought to possess something like a representative body. At all events, he protested against the injustice and inexpediency of considering New South Wales in the light of a penal colony longer than circumstances might render necessary.

Lord *Howick* congratulated the House, that the observations which he should feel it necessary to make upon this subject would occupy but a very few minutes. The chief point urged by the hon. Gentleman who moved the Address was, in point of fact, as he (Lord Howick) had incidentally intimated, already practically settled. Previous to the appointment of the new governor of New South Wales, inquiries had been instituted, and witnesses examined, as to the practicability of allowing the Trial by Jury in that colony. The opinions given, and the evidence elicited upon that point, were, however, of so very contradictory and conflicting a nature, that it was found impossible to come to any clear or definite conclusion upon the question in this country. On the appointment of the new Governor, therefore, he was authorized, immediately on his arrival in the colony, to take the subject into his consideration, and to report his opinion upon it. Acting upon that authority, the Governor instituted an inquiry into the subject, and the result of that inquiry was such as to lead him to make it known to the inhabitants of the colony, that the Government at home would extend to them the boon that they required, and that, from the beginning of the next year, they might expect the system of Trial by Jury to be acted upon. That being the case, he (Lord Howick) hoped that the hon. Member would not think it necessary to press his Motion upon a point which was, in fact, already decided upon. The second point urged by the hon. Gentleman was of rather an extraordinary character. The hon. Gentleman called upon the House to recommend to his Majesty to grant to the colony of New South Wales, not a representative assembly, but something like a representation. Now he (Lord Howick) certainly did not know what he was to understand by the expression "something like a representative assembly." If direct representation were not given, he could not understand what possible benefit could be derived from the semblance of a representation. He begged, however, to disclaim any hostility towards the representative system. On the contrary, he was convinced that the most permanent and the happiest state of society, that in which civilization and refinement were capable of being carried to the highest point, was a state that was founded on a system of representation. He begged also to disclaim the other supposition of the hon. Gentleman, that his Majesty's Government were jealous of the colonies, and were indisposed to extend to the colonies the privileges enjoyed by the mother country. If this were really the case, the present would be a peculiarly ill-timed moment for manifesting such a feeling; having ourselves just acquired so many valuable rights. None could be more fully impressed than his Majesty's Government were with the truth, that it ought to be their object to make the colonies great and flourishing communities, with whom the mother country could carry on an extensive and valuable trade. They were anxious to spread the English name and race as extensively as possible over the whole world. In the case of New South Wales, however, there were some difficulties. The hon. Gentleman must know that there existed in that country a strong animosity between those classes of the inhabitants who had been sent thither for their offences, and those classes who had voluntarily gone thither. A constant struggle—exhibiting itself, among other ways, in admission to, or exclusion from, dinners, balls, &c.—was going on between those who had been once convicts, or who were the descendants of convicts, and those who were wholly untainted. Of whom was the proposed representative body to be composed? The hon. Member had given no decided opinion on the point; but he (Lord Howick) collected from what had fallen from the hon. Gentleman, that he was inclined to communicate the elective and the representative franchise to the emancipists; and to give them, in all respects, an equality of civil rights with the free settlers. That was a startling proposition; and, if it were adopted, it would give to the emancipists a paramount influence in the legislature of the colony. The hon. Gentleman, perhaps, was not aware of the great difference which existed between the numbers of the free settlers and free children born in the colony, and the numbers of emancipated convicts. According to the last census, which was taken in the year 1828, it appeared, that at that time, the number of free settlers, and free children born in the colony, being males, and above the age of twelve years, was 4,484; whilst, on the other hand, the number of the emancipists was 6,137; and the number of convicts, many of whose terms of servitude had since expired, was 14,155. Besides this, during the years 1829 and 1830, no less than 6,839 other convicts had been transported to that colony. It was idle to suppose that the emancipated convict was debarred from gaining influence or power. To show how rapidly many of them became persons of importance, he would mention only one fact. The first letter that came into his hands, after he became connected with the government of the colonies, was one from a person named Girard, containing a complaint against General Darling, the Governor, for having ill-used him with respect to a contract. Upon inquiry as to who this Mr. Girard was, it appeared, that he had been a very respectable pickpocket in London, who was transported in the year 1811 for stealing a watch, and who, in 1829, had become the great contractor for the colony. This person was one of that class who, if the hon. Gentleman's proposition were acceded to, would certainly gain the upper hand in the government of the colony. He left it to the House to say, whether it would consent to transfer the welfare, the prosperity, and the happiness of the colony to the keeping of persons who had been expatriated for offences against the laws at home, If they were, one thing he would answer for it was, that whatever body controlled the representative assembly, would soon assume the government of the whole colony. It must inevitably be so, because, at such a distance, it would be impossible for the Government at home to render effectual assistance to its representative there. But perhaps the hon. Member, after all, did not mean to give representation to the emancipists; if so, he could assure the hon. Member that the petitioners would thank him but little for the pains which he had taken. There was a strong objection to giving representation exclusively to the free settlers, because, whatever respect he might have for them, he would not give any one class, particularly the least numerous, power over the other. He contended, that the great desire of the colonists for Juries justified their appointment. The hon. Member had talked of the severity of the Juries; but he had always understood, that a Jury had nothing to do with severity or clemency, but merely to deal with the fact. He viewed with horror the increase of crime to which the hon. Member had adverted, but he attributed that increase to the great number of male convicts who had been sent out, and not to the want of a representative government, or the severity of the military Juries. It was partly to be expected from the number of convicts—the refuse of society—and principally males, which had been continually sent out. Measures had been taken to diminish crime, and one of those measures was, to send out 600 females. Free settlers had also been encouraged. Allusion had been made to the revenue of the colony. In 1830 it was 107,873*l.*, and out of this sum no less than 76,000*l.* was paid on spirits imported or distilled in the colony, and on tobacco. The tax on tobacco was 9,000*l.*, which was injudiciously imposed, at the request of the colonists themselves. In New South Wales the crying evil was, the consumption of spirituous liquors, and it had hitherto been the policy of the Government to make spirits as expensive as could be done, without giving rise to illicit distillation, or smuggling into the colony. Again, there was 5,100*l.* reserved for fees for grants, and the other taxes were for licenses for cutting timber on the Crown lands, and for other purposes. The hon. Member, then, could not show any great legislative abuse, as connected with the revenue of the colony, and on that ground could make out no case to induce the House to assent to his Motion. The hon. Member, however, left out of consideration several important circumstances; he forgot that there was a Legislative Council of seven of the most respectable inhabitants of the colony—he forgot that every law passed by this Council must be published in *The Gazette* some time before it could be brought into operation, and that, as the Press was free to the fullest extent, any objectionable measure was liable to the most severe censure. Again, it must not escape recollection, that the authorities at home would instantly, on receiving intelligence of its enactment, disallow any improper law, and that, at the same time, every case of grievance was instantly attended to. The hon. Gentleman, indeed, chiefly complained of the want of Juries in criminal cases, and did not so much rely upon the claim of the colonies for a representative assembly. One of the arguments he urged for the latter was, that there was a system of favouritism prevailing in the colony. But surely the hon. Gentleman must be aware, that as long as there was an executive government, there must exist something of this, at least in appearance. The hon. Member said, that the Government possessed considerable power in consequence of being able to deprive an obnoxious settler of his convict-servants; but if the Governor did not possess the power of removing a convict-servant, great abuses would arise. It was obvious, that if this were not the case, the rich thief would send money to the colony to purchase his freedom. As long as the old system existed, it was necessary that this power should continue, but a change had been made in the system, which might, to some extent, at least, lead to a change in this power. But then the hon. Member said, there had been partiality in the administration of the government. Why, if that charge were just, it was no fit foundation for the desires of the hon. Member. But it was not just. Before he sat down, he (Lord Howick) begged to observe, that for many of the most serious charges which had been brought against the late Governor Darling, subsequent inquiry had proved that there was not a shadow of foundation. It was now evident, that the whole of the virulence and calumny with which that gallant Officer had been assailed, arose from a suspicion in the minds of the colonists, of his having acted upon a system of favouritism, particularly in the distribution of convicts. It was not unnatural that such a suspicion should have existed, where the demand for convicts, whose labour was extremely valuable, so much exceeded the supply of which the Governor had to dispose. He believed, however, that General Darling had endeavoured, to the best of his abilities, to act honourably and fairly to all. The Government had now done away with grants of land. A free sale by public competition was adopted, and there could no longer be a charge of favouritism. With respect to the distribution of convicts, that point was not so easily arranged. Some steps, however, had been taken, and they were calculated to prevent the imputation of favouritism. Then the hon. Member had given another reason why a legislative assembly should be given to the colony, and that reason was, the impossibility of the truth of charges being arrived at in this country. That was a most extraordinary reason. In the colony there was a free Press, and it was fully used; and he was decidedly of opinion, that the merits of cases were now truly known. He, therefore, must oppose the Motion as unnecessary.

Mr. *Warburton* was glad to hear that a change of system was to take place in the administration of justice in New South Wales. It certainly was quite time that a change of some kind should be adopted. In his opinion, a change in the system of government was equally necessary, and for that reason he was favourable to the establishment of a representative assembly, as in the other colonies. He did not mean to bring any charge against the Governor; but the whole system was bad, and gave rise to oppression which he was sure no Government at home could sanction. One individual (Mr. Hall) had had eight prosecutions *ex officio* against him in one year, and had had the assigned servants of the Crown taken from him on account of his opposition to the government there. These were petty vexations, to which no individual should be subjected, or could be subjected under a representative system. He was glad to hear the admission of the noble Lord, that a representative government must be given to the colony of New South Wales, sooner or later, and he thought that the sooner it was given the better it would be for the colony. If that system were adopted, the petty piques and complaints of personal injuries, which naturally resulted from the existing mode of government, would be put an end to.

Mr. *Dixon* said, that it was the curse of this, as of all other colonies, that instead of having its interests judged of by persons residing in it, and of course acquainted with those interests, representations were sent home, by Governors and other parties, which representations were, to say the least of them, at all times partial, and often interested. The necessity of a local legislature, he thought, was well illustrated in the absence of all control over the public accounts, and the frequency of the abuses which could not fail to be the consequence of such a system. At present there was no proper control over the expenditure of the colonies, which could not be the case if the colonies had each a resident legislature. He adopted the general principle, that populations so large should not be taxed without their own consent. If there had been a local legislature existing in New South Wales, no such appointment as that recently made—he meant that of the resident of New South Zealand, who was to be compensated out of the revenues of the colony, would have taken place. He must also express his regret, that the noble Lord should have declared an opinion, that the charges against the late Governor Darling, which, it was to be recollected, were about to undergo inquiry, were unfounded. What, he begged to ask, would those who had come from New South Wales, merely to obtain justice from the British Government, say, when they heard that a noble Lord, a member of that Government, had, in his place, expressed an opinion that General Darling had been grossly calumniated? This was at once pronouncing a verdict against the complainants, and in favour of the officer against whom the complaints were made, without any investigation. He could not do otherwise than characterize such conduct in the noble Lord as extremely injudicious, and even unjust.

Mr. *Stanley* said, it was not his intention to have spoken, if it had not been for the last observation of the hon. member for Glasgow, for he was by no means competent to say, whether the charges against General Darling were true or false. He should, however, contend, that his noble friend (Lord Howick) had not, in what he had said, gone one inch beyond the fair protection which Government was bound to afford its officers, pending the investigation of charges against them. The noble Lord had only spoken of the charges which had been investigated, but, at the same time, said, that there were some charges which had not been gone into.

Mr. *O'Connell* was not in the House during the speech of the noble Lord, but if, as he had been informed, the noble Lord had applied the term "virulent persecution" to the charges brought against General Darling, he thought it was pronouncing an opinion prematurely on any of those charges which had not yet been examined. He, of course, had no personal knowledge of the charges made against General Darling. All that he heard came to him on the authority of others, but if the one-tenth part of the allegations which had reached him against General Darling could be proved, it would be sufficient to expose him to the most severe censure. If the First Minister of this country (and he was sure that no man could be named who would be less likely to be guilty of such conduct than the noble Earl who now held that office) could have acted, in this country, as General Darling had done towards a man named M'Hue, after he had been discharged on a *Habeas Corpus*, by the Chief Justice of the colony, the Chief Justice of the Court of King's Bench would deserve to be deprived of his office, if, within twenty-four hours, he did not commit the person so acting to the custody of his Marshal, for a gross contempt of Court. Then again there was the conduct of General Darling with regard to the prosecutions of the Press. There was no surer test of tyranny than a disposition to prosecute the Press on all occasions. He would not go into the case of Mr. Hall, another opportunity would be afforded for that. He thought, indeed, it was too late in the present session to bring the case of General Darling before the House, but he pledged himself, that if no other Member did, he would do so in the course of the next Session, should he have a seat in Parliament; and if only a small part of the allegations which he had received against him could be proved, he would be able to establish such a case against him as would make Verres appear innocent as a child in the comparison. He was glad that General Darling was no longer the Governor of the colony. He rejoiced that the Government had sent out a person who had twice honourably distinguished himself in situations of difficulty, and whose appointment gave the happiest promise to the colony. In his opinion, the present Government could not have done a more wise thing than to appoint General Burke, whose conduct at the Cape of Good Hope and in Ireland had entitled him to the highest praise. The colonists claimed seven, but if four out of the legislative council were in future to be elected by the people, and if the doors of the legislative council were thrown open, as were the doors of that House to the Press, he had no doubt that these changes would be productive of the happiest effect. It was impossible that large bodies of Englishmen should be assembled together in a colony, and not be discontented if they were not able to correct on the spot the faults of the government, instead of being obliged to send to the most distant part of the earth to obtain redress.

Lord *Howick* denied that he had made the conduct of General Darling the subject of praise, nor had he attacked those who complained against him. He had cautiously abstained from saying a word one way or the other. He must, however, observe, that, some time since, he had stated in that House that a charge of murder had been made against General Darling—that that charge had been investigated, and the counsel for the prosecution had thrown up his case, and said he would have nothing more to do with it. He had a right, therefore, to say that General Darling had been basely calumniated, and he repeated the expression. He was the more confident in doing so, as the report of what had then passed in the House had gone out to the colony, and had never been in the slightest degree contradicted.

Mr. *Dixon* was glad to hear that the noble Lord had avoided both praise and censure, but with respect to the case particularly mentioned, the noble Lord must know, that the question of the murder still formed a part of the charges at this moment lying before the Colonial Office.

Mr. *Hunt* said, that the conduct of General Darling could not be made the subject of praise, at all events, though it was always the case, that when any man, even down to a Gaoler, was charged with cruelty, he was sure to find defenders in that House. He was glad to hear that the colonists were to have Jury Trial, and he hoped that the Juries would be fairly chosen. When that step was taken he should expect that a representative assembly would be granted, though the noble Lord was at present not inclined to grant one.

Mr. *Burge* would support the Motion before the House upon many grounds, but upon none more strongly than the experience which the country had had, that the colonies possessing legislative assemblies were invariably better and more economically governed than those which were not possessed of such an institution. The expenditure of all colonies which had any thing like a free legislative assembly had been uniformly found less than the expenditure of the colonies that were denominated Crown colonies. He thought that every argument which had been used by the noble Lord opposite (Lord Howick) was particularly fallacious; for if his Majesty's Ministers were not prepared to give the colony a legislative assembly, in the full and free acceptation of the term, they might at least, try the experiment upon a confined or partial scale. They might, for instance, introduce into the existing executive council two or more Members, freely elected by the people, as a modification of that assembly. The experiment might certainly be made with some limitation of numbers, or with some modification of the franchise; and, now that the subject had been so often discussed, the people of this country had a right to expect that a reforming Ministry would make such a concession to the colonists of so rising and prosperous a settlement. He conceived that, after what had occurred, Ministers could scarcely have resorted to a worse argument to get rid of the Motion, than that the bad government of the colony would find a sufficient correction in the Press, which had already been established in New South Wales.

Mr. *Slaney* did not intend to enter upon the subject before the House, but he could not suffer the discussion to close without pointing out the strange and extraordinary inconsistency in the conduct of the hon. Member who had just sat down. The hon. Member had just advocated the granting of a legislative assembly to the colony of New South Wales, and so anxious was he that the people of that colony should possess the rights and privileges of a free constituency, that he would consent even to an incipient approach to it, upon a scale however small. He only begged the hon. Member to consider how he could reconcile this love of a free legislative assembly in a colony, when he had recently stood forward as the unflinching opponent of every extension of elective rights or legislative privileges among the people at home. He would maintain that the people of England ought, upon a subject like the present, to place implicit confidence in the Government, as Ministers had afforded such substantial proof of their desire to extend and secure popular rights and privileges wherever it was practicable. Their conduct with respect to Juries in New South Wales was an earnest that they wished to benefit that colony, by emancipating it as soon as the state of its society and population would render such a course safe and eligible.

Mr. *Henry Lytton Bulwer* replied. He would consent to withdraw so much of his Motion as related to the Jury system in the colony of New South Wales. Upon this point he was satisfied by what had been said by the noble Lord; but, upon all the other points, what the noble Lord had advanced had confirmed him in the opinions which he had formed upon the subject, before he had brought it under the notice of the House. He should now alter his original intentions, and move "that an humble Address be presented to his Majesty, praying that his Majesty will be graciously pleased to cause measures to be taken in order to give to the free inhabitants of New South Wales a system of legislative representation, such as the present condition and circumstances of that colony may seem to require."

The House divided:—Ayes 26; Noes 66— Majority 40.

POLAND.] Lord *Ebrington* rose to present a Petition, coming from Polish refugees resident in London, praying the House to address the Crown, in order to obtain its interference in the affairs of Poland.

Sir *Charles Wetherell* objected to the reception of the petition, on the ground of irregularity.

The *Speaker* said, that the House might receive the petitions of foreigners residing in this country, when the subject of their complaints originated in the acts of British authorities; but he was of opinion that such a petition as that brought forward by the noble Lord could not be received.

Lord *Ebrington* deferred to the rules of the House, and withdrew the petition. The noble Lord then presented petitions, of a similar character, from Sidmouth, Crediton, and another place in Devonshire.

Mr. *Cutlar Fergusson* had once more to solicit the indulgence of the House, whilst he called its attention to the State of Poland, and to the claims which that brave and oppressed nation had on the justice, good faith, and honour of the Government of this country. When he had last an opportunity of addressing the House on this deeply interesting subject, he was told that he had come late; and that reproach was not without foundation, at least he did not feel himself free from blame, for having omitted to take a part in the discussion on the affairs of Poland, which was at an earlier period opened to the House by the hon. and gallant member for Rye, who was the first to raise his voice in this House in favour of the oppressed. But, if he was silent upon that occasion, it was not from want of feeling the deepest sympathy for the misfortunes, and indignation at the wrongs, which had been heaped upon that heroic people, in contempt of every principle of justice and humanity, and in violation of the faith of treaties, and of the acknowledged public law of Europe. He abstained, as did many other Members of this House, from urging upon Ministers, at that moment, the claims of injured Poland, and calling upon them to interfere on her behalf, as well from the confidence which they reposed in Government, as from a fear of embarrassing it in its course. But he was satisfied that this latter consideration had been pushed too far. If they were satisfied that the Government meant fairly towards Poland, surely the opinions, and sentiments, and feelings of the House, which had been of late so unanimously expressed in favour of that cause, could not embarrass the Government; but must, on the contrary, give it support, and strength, and encouragement, to proceed in the right path. If he had believed that Government had been wanting in its efforts to obtain justice for Poland—if he had believed that those efforts had not only been ineffectual at the time, but were to cease, and were not to be continued or renewed in a sincere and honest spirit, and with a firmness which the occasion called for—his Motion would not have been of that limited nature which appeared on the Notice-books. He should not only have called for papers, to establish a case of oppression and of breach of treaty and public faith on the part of Russia, but he should have demanded of this Government to show what it had done to obtain reparation for Poland, and to save from destruction a land whose destinies had awakened so deep and general an interest throughout the civilized world. He should have deemed it necessary to ascertain, whether the Government of this free country had kept that high ground of national honour and of public faith, from which he trusted she never would depart whilst she existed as a state. He was so sensible of the indulgence which the House had been pleased already to extend to him, when he formerly addressed it on the same subject, that he would endeavour to spare it as much as possible on this occasion. Indeed, the lateness of the hour, added to his indisposition, would make it a matter of as much inconvenience to himself, as it would be to the House, that he should address it at any length; and he would therefore, endeavour, as much as possible, to avoid repetition, or a reference to any documents which were not essential to substantiate the case which he had undertaken to make out on behalf of the Poles, which was this—that national rights, which were secured to them by a solemn treaty, had been violated by the emperor of Russia; and that those rights having been guaranteed to the Poles by a treaty, to which Great Britain was a party, she was bound, in good faith and in honour, to see to the maintenance of that treaty, and of the provisions which it contained in favour of Poland. He admitted that he must establish the double proposition, and that, unless he did so, he had no right to expect that he should carry along with him the assent and concurrence of the House. The foundation of his case was the Treaty of Vienna, in the preparing and settling of the provisions of which, as far as respected Poland', Great Britain, through her Minister, took an anxious and prominent part, from the commencement to the conclusion of the proceedings of the Congress. Lord Castlereagh, in the first instance, demanded the restoration of Ancient Poland, and declared that it was England's wish that an independent power should be established in Poland, under a distinct dynasty, in order to interpose something between the three great Powers of the North. Austria seemed willing to accede to the proposal, at the expense even of sacrifices to be made by her; but Russia not only opposed the re-establishment of Poland under a distinct dynasty, but insisted that the duchy of Warsaw should be added to, and become an integral part of her dominion. Lord Castlereagh, on the part of England, rejected the demand, and declared, that in preference to such an arrangement, it would be better to fall back on the provision of the treaty of Ruchenbach, and that the duchy of Warsaw should be divided among the three Powers, Russia, Prussia, and Austria, conformably to the second article of that treaty. Austria acquiesced in this proposal, in preference to delivering over the duchy of Warsaw to be added to and become an integral part of the dominions of Russia, the further aggrandisement of which it was one of the great objects of the Congress of Vienna to prevent. Could it be doubted, that this arrangement would have been less unfavourable to the European system than that which was proposed by Russia, and positively rejected by great Britain as well as Austria, but which Nicholas, by a stroke of his imperial pen, now attempted in defiance of the other Powers, and of the solemn stipulations of Russia, to force on submissive Europe, as a part of its public law? It was clear that the stipulations of the first article of the Treaty of Vienna, were the result of long and anxious deliberation, and at last of compromise, among the Powers who were parties to the act of the Congress of Vienna, including Great Britain, whose Minister took the lead in every consultation respecting the settlement of Poland under that treaty. What then, were the stipulations of that treaty? The House, would, he hoped bear with him, whilst he cited the words of the first article, on which everything might be said to depend. They were these—'The 'Duchy of Warsaw with the exception of 'the provinces which have been otherwise 'disposed of, in the following articles, is 're-united to the empire of Russia. It 'shall be irrevocably bound to it by its 'constitution, and be possessed by his 'Majesty, the emperor of all the Russias, 'his heirs and successors in perpetuity. 'His Imperial Majesty reserves to himself 'to give to this State, enjoying a distinct 'administration, the territorial extension 'which he shall deem fit; he will take 'with his other titles that of "Czar, king 'of Poland," according to the customary 'formula used for his other possessions.' Then came the stipulations in favour of the Polish provinces, distinct from the Duchy of Warsaw, as follows—'The Po'lish subjects of Russia, Austria, and 'Prussia shall enjoy a representative and 'national institution, regulated according 'to the mode of political existence which 'each of the governments to which they 'belong shall judge useful and fitting to 'grant them.' As he scarcely touched on the part of this case which respects the Polish provinces, distinct from the Duchy of Warsaw, when he had last the honour of addressing the House, and as the points were necessarily and inseparably connected with each other, he would commence with a few observations on the provisions here made in favour of the Polish provinces, which, besides those subject to Austria and Prussia, consisted of Lithuania, Volhynia, Podolia, and the Ukraine, provinces of great extent, and containing a population exceeding 8,000,000. These provinces, in the whole, or in part, it was once the intention of Alexander to have added to the kingdom of Poland; but, so much was the kingdom considered to be a creation of the Congress of Vienna, that it was thought necessary to reserve to the

Emperor Alexander a power of adding to that kingdom; and the territorial extension contemplated by the Treaty of Vienna was to be found in the Polish provinces subject to Russia, to which, in the mean time, a Representation and national institutions were to be given. It might be observed here, that the giving of a Representation and national institutions to those provinces was an express stipulation of the Treaty of Vienna, binding on the emperor of Russia, and matter of compact between him and the other powers, parties to the treaty of Vienna, and which they had a right to see, and ought to have seen, carried into effect on the part of that prince. But, so far from this being the case, it appeared that, although some most imperfect institutions had been given by Austria to the province of Gallicia, and by Prussia to the Duchy of Posen, not only had no national institutions or Representation of any kind been given to the other parts, but their ancient institutions, which, to a certain degree, afforded protection to liberty and life, had been wrested from them. The law of Poland, with the tribunals in which it was administered, had been suppressed, and the inhabitants of the provinces had been left, without defence or protection of any kind, to the mercy of the Imperial Ukase. The system of persecution and oppression which had been exercised in the Polish provinces, had not been less atrocious than that of which the unhappy kingdom had been the victim. The subject however, which was first in order, and which must form the main subject of the night's deliberation—was the provision by which the Duchy of Warsaw was erected into a kingdom, and was conferred upon the emperor of Russia, subject to certain conditions, upon which, and which only, he received the sovereignty of Poland from the hands of the Congress of Vienna, and upon which conditions alone he had a right to hold that sovereignty for a single day. What, then, were the terms and conditions of the treaty in behalf of the Poles? It had been said, that they were vague If the House would be pleased to listen to him for a few minutes, he would undertake to show that the terms of the treaty were clear, definite, and precise; and that there was nothing in them vague or ambiguous, or that would admit of any mistake in respect of their meaning by any one who would give them a moment of fair and unprejudiced consideration. The House would be pleased to remark the difference in the provisions of the treaty which respect the Polish provinces, which were before subject to Russia, and those which respect the kingdom of Poland conferred upon that State. By the treaty itself the Polish provinces were to have a Representation and national institutions; but the Duchy of Warsaw, erected into a kingdom, was to have not merely a Representation, not merely national institutions, but a constitution by which the new kingdom was to be irrevocably bound, and without which constitution it was not, and could not be, bound to the emperor of Russia. It was the condition, the indispensable condition, of rule over that country by the emperor of Russia—the constitutional king of Poland—Poland, not a province, like those that were to have a Representation and national institutions, but a kingdom and a state enjoying a distinct administration, to which the emperor must give such territorial extension as he might judge fit. If the new state were not to be bound to the emperor of Russia by its Constitution, by what tie was it to be bound?—Not by divine right—not by hereditary descent, certainly, and as certainly not by conquest, although this right was put forth in the manifesto which speaks of Poland as having been conquered in 1815 by the victorious arms of Russia. Victorious arms of Russia? Where was there any account of these victories to be found? It was true, indeed, that after the retreat of Napoleon, the troops of Russia overran Poland, and Warsaw was taken possession of without firing a shot. The Russians entered Warsaw at one gate, whilst Poniatowsky, and Schwartzenburgh, with his Austrians, left it at another. The boasted conquest of Poland was no more than the unopposed occupation of that country by the troops of Russia. Poland was held to be at the disposal of the Congress of Vienna; it was, in fact, disposed of by the Powers who were assembled at that Congress. It was made over to the emperor of Russia—not to form an integral part of his dominions—not to be, at his will, converted into a province of Russia; it would have been easy to have given Poland to him free from all conditions, but it was given to him expressly on a condition, by which it was to be irrevocably bound to his empire—namely, its constitution. What was there vague or uncertain in the terms of this provision? But if the terms were vague or uncertain, who so fit to explain and clear them up as the emperor Alexander himself? Let the House then hear him, as to the terms on which he considered that he held the sovereignty of Poland. Alexander gave a constitution —a free constitution—to Poland. In his speech on the opening of the Diet, in March, 1818, he said—'Your restoration 'is defined by solemn treaties: it is sanctioned by the constitutional Charter. 'The inviolability of those external engagements, and of the fundamental law, 'assures henceforward to Poland an honourable rank among the nations of 'Europe.' Could it then be said, that the provisions of the Treaty of Vienna in respect of Poland and its constitution were vague and uncertain? They were neither vague nor uncertain; but, if they were, Alexander himself had sufficiently defined their meaning. The rank of Poland among the nations of Europe was secured to it by the inviolability of its constitutional Charter, and the solemn obligations of a treaty with foreign powers. Such was Alexander's own construction of the Treaty of Vienna, and of the rights which it conferred upon Poland. Alexander gave to Poland its constitution; and the emperor Nicholas, at his accession, swore to maintain and preserve it. In his proclamation on that occasion, Nicholas said —'we declare to you, that the institution 'which he (Alexander) gave to you shall 'remain without any change; I, therefore, 'promise, and swear before God, that I 'will observe the Constitutional Act, and 'that I will bestow all my care in maintaining the observance of it.' Surely no Prince was ever bound by a more solemn or sacred engagement to observe and protect the constitutional liberties of the people than that which bound the emperor of Russia to the subjects of the kingdom of Poland. The obligation was reciprocal. The Emperor reigned by the Charter, and he swore to its observance. On the observance of the Charter by the prince rested his right to the allegiance of the subject; and the subject accordingly swore fidelity, not to his King alone, but to his King and the constitutional Charter. But how was the constitutional Charter observed or maintained by Nicholas, or even by Alexander? The government of Poland was by both of these princes delivered over to the arbitrary will of the Grand Duke Constantine. He had, on a former occasion, imperfectly and inadequately described the atrocities committed by the orders of that prince, and he would not tire or disgust the House by a repetition of the description. Suffice it to say, that there was not one article of the constitution that was not grossly, openly, and shamefully violated. That constitution provided that a Diet should assemble every two years; five years were suffered to elapse, and no Diet was assembled. That constitution provided, that taxes should not be imposed on the people of Poland without the consent of their representatives, and that a budget should be submitted to the Diet every fourth year: yet taxes were imposed without the consent of those representatives, and no budget for fifteen years was ever submitted to, deliberated upon, or voted by, the Diet. By the same constitution the proceedings of the Diet were to be public. By an ordinance of the emperor Alexander, the publicity of its debates was prevented and prohibited. Personal liberty was provided for by the Charter; but personal liberty had no protection; it was constantly violated by the simple order of the Grand Duke. If a member of the Diet expressed himself in a manner that did not please that personage, he was seized by his order, and imprisoned during his pleasure. The constitution provided, that within three days every man who was arrested should know the charge against him, and should be brought before the proper authority, and, if not made good against him, within that period, he should be discharged. After the accession of Nicholas, the insurrection of St. Petersburg was made the pretext for numerous arrests for alleged state offences. How long were such prisoners detained without being brought before the proper authorities? For three days? No, for eighteen months. The prisons were filled with victims, who were assailed, during that time, by the agents and spies of Constantine, who endeavoured, by every art, to entrap them into the confession of imaginary crimes. Many sunk under the barbarous and cruel treatment they received; others fell by their own hands. After a period of eighteen months the survivors were brought to trial before the High Court of Justice, and were acquitted, as it were, in a mass, no suspicion of a state offence appearing against them:

yet many of those unfortunate beings, instead of being liberated, were hurried off to Russian fortresses, and confined in dungeons, and had never since been seen or heard of. The National Tribunal, which had nobly and courageously done that duty which the oath imposed upon the Judges, was reprimanded by order of the Grand Duke, for conduct which was interpreted into an offence against the state. No one had attempted to deny that the constitution of Poland, before the insurrection broke out, had been violated in every one of its leading provisions, and hat it was, in fact, wholly subverted and .estroyed by the authority of the King, who had sworn to preserve and maintain :t. The appeal to arms was justified in the eyes of God and man; if not, there never was a justification of resistance against oppression, and this country had lived for 150 years under an usurpation. On what ground was James 2nd declared to have forfeited all right to the allegiance of his subjects? On the ground that he had violated the fundamental law, and broken the solemn compact between him and them. The Prince of Orange came in upon that declaration, and the House of Brunswick held the Crown of these realms upon the same and no other title. But even if he were to admit, that the insurrection of Poland was a rebellion not to be justified, it could not be a reason for taking away the liberties of a whole nation. The Emperor Nicholas himself did not charge the Polish nation with rebellion—he stated it to have been the work of a faction, who had seduced a portion of his subjects from their allegiance. He had already admitted that those who took part in the insurrection exposed themselves to the consequences of its failure; but the constitution of Poland, and the rights of the people, continued as before. But he had laboured this case too much. The difficulty, indeed, was to suggest arguments to be answered; for those who supported the cause of the Poles, found no opponent in the field. There was only one publication which he had met with, which had ventured to defend the conduct of the emperor of Russia in issuing the manifesto, and the organic statute of the 26th of February, by which the constitution of Poland, and its political existence as a state, were sought to be annihilated. He alluded to an article in the *Allgemeine Zeitung*, of the 2nd of May last, and which article was stated therein to have been sent for insertion, by authority; he presumed, it came from the court of Russia. The writer did not deign to justify the emperor of Russia from the charge of having violated the constitution of Poland—he did not even deny the fact that the constitution was violated by the emperor of Russia; but he denied that the grant of a constitution was a condition on which Alexander held the crown of Poland. He denied, also, that either France or England contributed to the grant of a constitution to Poland, and stated it to be a perversion of the truth to ascribe to those powers the part of mediators on that occasion. He added that the Poles were indebted for their constitution to the Emperor Alexander, who generously granted it upon the entreaties and representations of the Poles themselves. The world had heard of treaties and other transactions being void by reason of the force or terror employed to procure the acquiescence of the parties to them; but this writer seemed to think that the more voluntary and generous the act, the less binding on the party. Alexander freely and voluntarily gave a constitution to Poland, and because the gift was free and voluntary, it was a gift, it was contended, which he had a right to revoke and take away. The charge, observe, was not merely that Nicholas, by the Ukase issued since the insurrection was put down, had taken away from the Polish nation their constitution; but that, by his acts, and those of Alexander, before the issuing of the Ukase, and before the breaking out of the insurrection, the constitution of Poland was, in fact, destroyed. This was not denied by the writer in the *Allgemeine Zeitung*, and was, indeed, of no consequence to his reasoning, and did not at all affect it, for his reasoning amounted to this, that the constitution of Poland proceeding from the generosity and magnanimity of the Emperor, was binding on the Poles who received it, but not on the Prince who gave it, or on the Prince who swore solemnly to maintain it. He agreed, however, with the writer that France and England did not act the part of mediators, for they were contracting parties on that occasion. The writer further said, that the powers at the Congress could not guarantee a constitution which was not granted till eight months after the Congress broke up. What!

could there be no guarantee that a thing should be done, as well as that a thing that was done, should continue to exist? If Alexander was to give the constitution, according to the intent and meaning of the provision of the Treaty of Vienna, the constitution, when given, was to become the "tie" by which Poland was to be bound to Russia, and became, in fact, a part of, and was, as it were, incorporated into the very treaty itself. But there was another view which might be taken of this question. The writer of the article referred to, seemed to think that Poland had no constitution till one was granted to her by Alexander; or, at least, that she had no right to a free constitution at the time of that grant, and that, but for the generosity of Alexander, she never would have obtained one. But let it be remembered, that before the Treaty of Vienna, the Duchy of Warsaw was an independent state, subject to the king of Saxony as Grand Duke, and whose title was acknowledged by the Treaty of Tilsit. Poland had then, as she had always had, a free constitution; and the constitution which she enjoyed under the king of Saxony, had never been abrogated or taken away. It continued lawfully to exist, notwithstanding the provisional occupation of Poland by the Russians, up to, and at the time of, the Treaty of Vienna. That treaty spoke of Poland being bound by its constitution to the empire of Russia, speaking, as some have contended, of the constitution of the Duchy of Warsaw, and speaking of it as a constitution then existing. It spoke also of Poland, as a state then "enjoying" a distinct administration. It could not be denied that there was considerable force in the reasoning; but he used it only to show, that if Alexander did not bind himself to grant a constitution to the Duchy of Warsaw erected into a kingdom, he took upon him the government of that state, with the constitution which it then had—a constitution as free as that which he afterwards gave to Poland, and on the model of which the latter appears to have been framed. So that, in any way, it could not be denied that Poland was to have the benefit of a free constitution, and that the emperor of Russia, in becoming king of Poland, ascended the throne of a constitutional monarchy, and that the imperial will could never convert the kingdom of Poland into a Russian province. Yet a Russian province, the imperial will had declared that Poland should in future be, and that her political existence and nationality were at an end. The writer in the *Allgemeine Zeitung*, or rather, the court of Russia, considered that the organic statute was a sufficient substitute for the constitution of Poland. He would not waste the time of the House by showing that the constitution of Poland had been taken away; and that nothing in the shape of national guarantee for liberty, public or private, had been substituted in its room. The power to make laws, and to raise taxes in Poland, had been transferred to the Russian Council of State; and the Diet of Poland, as well as the national army, had ceased to exist. This last was, perhaps, the point which went deepest into the hearts of the Poles. Alexander knew well what was the feeling of a Polish army, and what might be expected from their valour and heroism, which had shone forth in a hundred battles, whilst that feeling was respected. By an article of the constitution, "the army was to preserve the colour of its uniform, its particular customs, and all the badges of its nationality." By the Ukase, the Pole was to mingle in the same rank with the Russian—he was to become a Russian soldier; his uniform was to be Russian; his national colours, and all the badges of his nationality, were taken away from him. The white eagle was struck down; but he trusted only for a season! "May we see it again raised," said the hon. Member, "and, when occasion calls for it, winging its course to victory, in a just and righteous cause!" He feared he had exhausted the patience of the House, as he had his own strength, in dilating on this painful and heart-rending subject; but he craved the indulgence of the House for a very little longer, whilst he stated a few facts illustrative of the present unhappy and mos- distressing state of that devoted country and its inhabitants. Not only had the constitution and nationality of Poland been taken away, but means had been taken to destroy the very germ of her institutions. Her schools of instruction (all but the very lowest) had been abolished; her Universities shut up; her cabinets and collections carried away; her military schools emptied; whilst thousands of Poles, citizens of all ages, who had taken part in the revolution, or who were charged with having done so, were dragged into Siberia, to labour in the mines, or to undergo whatever other mercy their oppressors might have in store for them. The last accounts from the frontiers of Siberia stated, that along the whole line of road, columns of Polish subjects and Polish soldiers, were met as in procession, ten-and-ten, linked together by bars of iron. It was calculated that 80,000 Poles had been sent to Siberia, and the most distant parts of the Russian empire. In contempt of the amnesty granted to the military, they had been compelled, without exception, officers and men, to serve in the Russian armies, as private soldiers, or, at most, as officers of the very lowest grade, and were sent to distant and desert countries, probably never to return. Out of twenty-two Polish Generals included in the amnesty, but who were sent away, notwithstanding, to distant parts of the Russian empire, only four had yet been suffered to return to their homes. Children had been carried away by thousands—he said by thousands!—under the colour or pretence of an Imperial Ukase, which declared, that all infants who had neither father nor mother, belonged to the state, and that he, the Emperor, as father of the country, named himself their guardian. It was in vain to protest that these orphans had friends, protectors, relations, who were willing to take charge of them—nay, in whose charge they actually were—and that they were in want of nothing—such remonstrances were unheeded; and the young and innocent victims were torn away from the soil which had given them birth, to be brought up in distant parts of Russia, in another religion, and with other manners, with a view, as was pretended, of good towards the Polish children, but with the sole view, as he believed, of making them Muscovites, slaves, and enemies of Poland. The abuse to which the execution of the Imperial Ukase was liable, was sufficiently obvious; and it was said not to be confined to orphans, but to be extended to the children of the absent, including almost all those who had taken part, and had survived the revolutionary war. There was one case of more than ordinary severity, of which most hon. Members must have heard, but which he would take the liberty of shortly stating to the House. It was the case of Prince Roman Sangousko, a Pole of high birth, who joined the national army of Poland early in the revolution, and was taken prisoner, tried, and condemned to be degraded from the rank of noble, and to banishment and confiscation. He had served in the kingdom of Poland, and was taken prisoner there, but his chief estates were situated in the province of Lithuania, and he was condemned as a Lithuanian subject of the Emperor, and his estate in that province confiscated. This sentence was submitted to the Emperor, and it was laid before him on the festival day of his patron saint, with a view to propitiate his clemency and mercy. Of what he was about to state, he wished he could question the authenticity. Would it be believed, that in place of giving way to a feeling of mercy towards the unfortunate Prince, he wrote, with his own hand, and added to the sentence of banishment to Siberia, these words—"To be sent on foot;" and this dreadful sentence had been carried rigourously into execution. The mother of the Prince repaired to St. Petersburg, to implore from the Emperor, not pardon for her son, but pity, and a mitigation of his physical sufferings. It was insinuated that some mitigation might take place; but upon certain conditions—the Prince was expected to declare that he was drawn into rebellion from despair, occasioned by the death of his wife, or that he had been induced to take part in it by the injunctions of his mother, which accompanied her blessing. The Prince declined to receive a mitigation of his sentence on either of those conditions. He said, that he had acted on his own judgment, and a sense of duty which he owed his country, and that he was ready to abide the consequences of his act. The heart of a generous Prince would have been touched by this noble sentiment; but the sentence on Prince Sangousko was carried into rigorous execution, and his broken-hearted mother had not been able, to this day, to ascertain what colony in Siberia had been assigned to her unfortunate and gallant son, as the scene of his misery and degradation. The Prince left behind him a daughter of the age of eight years, who was under the care of her grandfather, the father of the Prince, one of the surviving fellow-soldiers of Kosciusko, who was allowed to occupy, under surveillance, one of the estates in Volhynia. A party of military entered the house of this aged Prince, with the intent, as it was supposed, of carrying away the infant. The old man seized the infant in his arms, and threatened to plunge a poignard into her breast, rather than deliver her up. This resolute conduct struck dismay into the hearts of the party, and time was gained to save the child, and convey her to the Austrian territory. It would be easy to multiply cases of oppression in the dominions of the emperor of Russia, wherever Poles were to be found. But cases of oppression were not confined to his own territories: by virtue of the supremacy which he assumed in Europe, he, or his ministers acting for him, called upon independent Governments, by base compliances, to aid him in his course of persecution. The case of M. Thours appeared to have been one of that description. It took place in the dominions of the king of Hanover. Were the minister of the king of Hanover in the House, he should demand of him an explanation of this transaction. It was this: M. Thours was employed officially in some capacity in the Diet of Poland, and was supposed to have in his possession certain papers implicating many Poles in the transactions of that period. The Russian minister at Dresden demanded that this person should be arrested, and that his papers should be seized; and it had been stated that this demand was complied with—that Thours was arrested in the Hanoverian dominions; and though he was not detained as a prisoner, yet his papers were taken from him and delivered up to the Russian minister at Dresden. This proceeding was defended in some newspapers, on the ground that every state belonging to the Germanic Confederation was bound by treaty to deliver up criminals. But this defence would not hold good in the present case, because Thours was not a criminal, nor was he considered or treated as such. He was not detained in custody; but his confidential papers were seized and taken from him. The supremacy asserted by Russia, and the tone of dictation assumed by her in every public transaction, sufficiently disclosed her views of attaining general domination throughout Europe. Her system of aggrandizement was pursued with a steady and successful policy, beyond any example in modern history. It was said, that the extent of her dominion was her weakness—that it must fall to pieces by its own weight. So it was said of the Roman empire; but let it be remembered that Britain succumbed to the Roman power, after it had been declared by Augustus that the strength of the empire depended on the confinement, not the extension, of its limits. The aggrandizement of Russia, and the increase of her power, ought to be a cause of the most watchful and unceasing jealousy to the other powers of Europe. She set at naught the faith of treaties, and the right of independent nations. By her Ukase she annuls treaties, and changes the public law of Europe—her present attempt was to destroy the political existence of a European kingdom, to the establishment and formation of which this country was a party. It imported the honour and character of Great Britain that Poland should not be abandoned; and, whatever might be the result of the attempts to save her, should they prove, in the end, unsuccessful, Britain could never acquiesce; but must, on the contrary, enter the most solemn protest against an act so unjust and so atrocious as the extinction of the political existence and nationality of Poland. He sought not, at the present moment, for the disclosure of any matters relating to negotiations, either pending, or about to be carried on between this country and Russia, in respect to Poland; but he begged leave to move for copies of the Manifesto of the emperor of Russia of the 26th of February last, and of the Organic Statute to which it referred; and also for a copy or extract from the Despatch of the British Minister at St. Petersburg, communicating the same to his Majesty's Government.

Lord *Sandon* seconded the Motion, He cordially concurred in all which had fallen from his hon. friend, who had so completely exhausted the subject, that he should have said nothing were he not anxious to support the prayer of a petition which had been intrusted to him by a numerous and respectable body of men in the city of Bristol. He regretted that they were tied down to express their grief and sorrow, being unable to take a more active part in obtaining redress. He must say, that he was not prepared to assert that England should go to war for such a purpose as that of compelling Russia to do justice to Poland; but there was nothing to prevent England from setting herself free from the reproach of being indifferent to liberty—of raising her voice in support of the rights of that most deeply-injured nation. Under the

Treaty of Vienna, she posessed the most perfect right to do so; and he hoped that that right would be speedily exercised. It was in the highest degree chimerical to expect that the Russians and the Poles would ever amalgamate or form one people —no matter how often the attempt might be made, it could not but end in failure and disappointment. There was one important consideration to which he wished particularly to call the attention of the House; it was, that the conduct of Russia had completely put an end to the arrangement made at the Congress of Vienna; and it was open to the Powers of Europe to make what settlement of the pending question the present circumstances might demand. He hoped that the time was not distant when the Crown of Poland would be declared independent, and when that country would be placed in such a situation as to enable her to ulfil her duties amongst the great family of the States of Europe. In the consideration of such a question as that, he had the satisfaction to think, that there did not exist a second opinion, either in that House or in the nation at large. It had been contended, on the part of the emperor of Russia, that the Poles had forfeited their right to a free constitution, as well might it be said, that the people of Scotland, after the events of 1745, had forfeited all right to personal or political liberty.

Viscount *Palmerston* said, that if it were his intention to object to the present Motion, he should feel it his duty to enter into the subject somewhat in detail, and to discuss the question at full length; but that would be unnecessary, as he was prepared to accede to the production of the papers. And as his hon. and learned friend had had the good taste and judgment to say that, neither by his arguments, nor by the Motion with which he intended to conclude, did he mean to drive his Majesty's Government into any defence or explanation of the conduct which they had pursued in reference to the affairs of Poland, he should avail himself of what had fallen from his hon. and learned friend, and beg the House to excuse him from entering into any discussion or explanation of the conduct pursued by Government in those transactions. He was sure there was no person who must not see that, with reference to all the interests concerned, and on every account, he should best discharge his duty by not entering into any statement of that nature. At the same time, he was bound in justice to add, that the Government of this country was not blind to the rights conferred upon us by the Treaty of Vienna. No man could entertain a doubt that Great Britain possessed a full right to express a decided opinion upon the performance or the non-performance of the stipulations contained in that treaty. Nevertheless, it could not be denied that England lay under no peculiar obligation, individually, and independently of the other contracting parties, to adopt measures of direct interference by force. For the reasons, then, which he had already stated, he took for granted that the House would not expect him to explain at length the communications which had taken place between his Majesty's Government and their agents at foreign Courts, upon the subject of Poland. The hon. and learned Gentleman, in the course of his speech had adverted to the severities practised by the Russian government towards the Poles, and expressed an apprehension that other and still more objectionable severities were likely to take place. He (Lord Palmerston) should not at that moment, enter into details, but he thought every man who heard him must feel that it was the interest of Russia to take a very different course, and to attach the people of Poland to her government, not more by the justice of her policy, than by the concession of those institutions which were known to be the most agreeable to their feelings. No man who heard him could doubt that it was the policy of the Russian government to win the attachment of the people for the sovereign appointed to rule over them; and he must say, that any idea of exterminating a whole people, in the manner represented by the hon. and learned Gentleman, seemed to him so improbable, that he really could not understand on what grounds the supposition rested; and, at all events, he was confident it would be found not to be correct. With respect to the case of Thours, which had been alluded to by the hon. and learned Gentleman, he felt it necessary to state, that he understood Thours to be a subject either of Prussia or of Saxony, and therefore the Hanoverian government, in arresting him, was merely performing a duty, which according to the constitution of Germany, it was not able to refuse. He did not conceive it to be his duty to make any further observations; and the more so, as he had already said he did not intend to refuse the papers which were moved for. If, however, any observations were made in the course of the evening, which required explanation on his part, he trusted the House would extend to him its indulgence, and permit him to say a few words in reply.

Lord *Morpeth:* Rising, as I do, to speak in behalf of Poland, I am, perhaps, in some measure differently situated from others who take the same view, because I am not without some personal predilection for Russia. It was my fortune to receive in that country much kindness and hospitality. I saw there much to amuse and interest me. I saw a good deal to admire and to like. I contracted a considerable kindness of feeling towards Russia. I have taken opportunities of expressing it, when the occasion allowed, in this House. I rejoiced most cordially over the joint glories of Navarino. I grudged not the trophies of Varna and Shumna. I had no wish to foresee in the chastisers of barbarous and infidel Turkey the oppressors of civilized and Christian Poland. Again, I conceived a very high opinion of the personal character of the Emperor. I know that his brow had not grown pale before the most imminent and critical peril that ever fronted a sovereign upon his entrance to dominion; and I remarked an attention and devotion to the business of his station, highly creditable to a person of any rank, much more so to the ruler of half the Continent. I say thus much to prove that I am not naturally indisposed, but quite the reverse, to Russia and her rulers; of course, in their maxims of policy and habits of government there must be many things not congenial to British feeling; but I hear of no country which has a wider field before her than Russia, if she had her true interests, and studied her real glory, for developing all her gigantic scale of resources, for extending gradually the soft and high influences of civilization, industry, and art, over her boundless and untried regions, for raising herself and benefitting the world. But I must arraign her policy, when she chooses that the sceptre she might wield with so much advantage to mankind, should be a weapon of aggression and a rod of iron. I must question her right to hold Poland on any other tenure but an independent nation, which she is bound to see righteously, lawfully and constitutionally governed. I will not enter into the delicate and intricate question of the precise meaning of the several treaties. Such as they are, I trust that my noble friend, acting, I hope, in conjunction with the other nations of Europe, will exact their faithful fulfilment, dealing impartially between the powerful and the weak. Neither do I feel willing to dwell upon those painful details of vengeance and suffering, by which our minds are now so often harassed, without those better opportunities which others must possess of verifying their exact authenticity. I cannot, however, but remark, if all, or much of what we hear is true—and much, alas! we know must be—if the design is on foot, and in active progress, to annihilate the Polish nation, name, constitution, language—all but her immortal memory—and this, the land of the Casimers and Sigismunds, of Sobieski and Kosciusko—the land that first resisted the torrent of Mahomedan invasion, and secured the liberties and religion of Europe; if her princes, and nobles, and senators are consigned to the dungeons, the mines, the graves of Siberia; if her noble ladies travel to the foot of the throne—and I am told their very presence has struck a chill into the festivities of the capital—and sue not for pardon, but for pity upon those whose fault it was to act with conscientious and heroic, though perhaps despairing devotion, in the cause of their country, while they thought they had one; and that suit is denied them: if, while in confiscation and exile, they teach the course of her Czartoriskys and her Sangouskos, her rising and spirited youth are daily drafted to swell the ranks of the Russian armies, and prepare new *Te Deums* for future triumphs over the freedom of the world; if, further — oh, crowning horror!—let it be well attested before we credit it—children are carried off to lose the memory of their noble country on the frozen banks of the Obe, or among the mountainous steeps of Caucasus; if these things be, we may, without much compromising ourselves, say, that a case is made out for the energetic intervention of England and of Europe; we may, without much presuming, add, that whatever becomes of that intervention, great room is left for the righteous retribution of Heaven.

Sir *George Warrender* was anxious to look at the question divested of all personal feelings, but he still could not altogether get rid of the impression produced on him by the statements of the hon. and learned member for Kirkcudbright (Mr. Fergusson). He looked, however, with confidence to the exertions of the Government, and he derived much consolation from the knowledge that they possessed a Secretary of State disposed to act on true British principles. In the year 1793, Earl Grey, on this very question of Poland, moved a Resolution to the effect, that the general principles on which the security of nations rested, were wounded through the side of Poland. If the principles on which the security of nations rests were wounded through the side of Poland, then how much more were they wounded now, when, as they had heard to-night, a solemn treaty with the Powers of Europe had been grossly violated? He derived consolation, however, from the fact, that the person nearly connected with the noble Premier from whom this resolution emanated, was about to proceed to St. Petersburg; and he felt confident, from the reputation of the noble Ambassador, that the honour and interests of England, as well as the wishes of her people, would be consulted in the remonstrances which his instructions would call on him to put forth. He was confident that the people of England would view with the greatest dissatisfaction any approach towards the policy of the school of Castlereagh; for, although other subjects had diverted their attention for some time past, he could assure the Government, that there existed throughout the country the greatest regret for the fate of Poland, and the warmest sympathy for her brave and suffering people.

Lord *Ebrington* could not avoid saying a few words on behalf of a people whose patience, under the most grinding oppression, could only be equalled by the almost superhuman bravery with which they had contended against the power of their oppressors. Independent, however, of all considerations of humanity, there were considerations of policy which could not well be overlooked. Was it to be supposed that if the present aggression of Russia was suffered to pass unnoticed—if the perfidy of which she had been guilty to the country she was called to rule over, on conditions, every one of which she had violated, was suffered to go without punishment—there would be any permanent security for the peace of any of the neighbouring States? Could Austria or Prussia look with any confidence to a permanent peace, or to the security of their possessions, unless a check was given to the exorbitant pretensions of Russia? Allusion had been made to the Treaty of Vienna: he was one of those who thought the Treaty of Vienna the consummation of the combined efforts of the greater Powers against the weaker, and that the stipulations of the treaty were intended for the aggrandisement of the greater Powers at the expense of the lesser. On this account he had always looked at it with regret; but he confessed he felt gratified to learn that a British Minister at that time had laboured to restore Poland to her rank among nations. He was happy to have such an opportunity to do justice to the character of the Minister who at that time represented England at the Congress, and to learn that he, as well as the representative of the descendants of Maria Teresa, was anxious to preserve the integrity of that kingdom which had formed the barrier of Christendom against the utmost power of its Mahomedan assailants. If the present aggression was acquiesced in, he saw, however, no hopes of permanent peace; and it was, therefore, with no slight satisfaction that he viewed the appointment of a dear friend of his, and a near relation of the Premier, to the embassy to St. Petersburg. This appointment gave him confidence as to the result, and would infuse fresh courage in the hearts of the friends of freedom. He was as anxious as any man to avoid plunging his country into the horrors of war. He was anxious to avoid anything which could have the effect of precipitating the country into war, but he was satisfied, that firmness at the present moment was the best method of avoiding contests hereafter. Should they, however, be compelled to draw the sword in order to preserve the rights of nature, he hoped it would be in conjunction with their free neighbour and ally of France, and in support of free principles and free constitutions.

Mr. *O'Connell* was almost afraid to trust himself to speak as he felt on this subject, in such a place, and among those by whom he was surrounded. They had been told of the violation of the rights of Poland, by the violation of the terms of the Treaty of Vienna. The rights of Poland depended not on the Treaty of Vienna; and those who assumed at that Conference the power of disposing of that territory, had no more right to do so than a band of robbers at any time possessed to parcel out the spoil they obtained in their excursions in search of plunder. Poland was no conquered country. It had been run over by the troops of France, and by the troops of Russia, and of Austria, but it was not conquered; and as to its rights, they existed before the spoliation of 1772, or the division of 1791, and were not to be taken away or disposed of by any treaty which the Congress of Vienna might have thought proper to enter into. They had heard that night of the atrocities perpetrated by Russia. Wives were separated from their husbands—all the ties of humanity were severed, and 100,000 children had been sent into the interior of Russia, to forget their language, their kindred, and their country. The noble Lord (Lord Morpeth) had spoken of the gratification he felt in being known to the emperor of Russia, and in having visited his Court. For his (Mr. O'Connell's) part, he should be ashamed of such an acquaintance. If the emperor of Russia had been a smaller and more insignificant person, it would have been considered a disgrace to hold any communication with him; but because he had a horde of 300,000, or 400,000 barbarians at his back, was that a reason why mankind should not treat him as he deserved, and execrate him on account of his crimes? The miscreant conqueror had violated the treaty which placed Poland in his hands, in a manner such as no treaty was ever violated before. The miscreant barbarian had violated all compact—had trampled on all rights; and was this Attila—this scourge of God—to found a new claim to the kingdom of Poland, because barbarian force had crowned his perfidy and infamy with success? Look at the history of Poland from 1770, and say of what crime Attila, the scourge of God was guilty, of which the Russians had not been guilty in Poland. The debt with which this country was loaded had, it was said, prevented her taking that station amongst the nations of Europe which she ought to have taken; but he did not despair of England yet, for the effect of the Reform Bill would be, to give the democratic principle in this country an impulse it had not yet received, and that spirit, urged on by the sympathy the people had for liberty, would press upon the Government of this country—would press, too, upon the stock-jobbing government of France—and compel the unpopular monarch there (whom he took to be as great a traitor to the cause of liberty as any man could be) to sympathise with the feelings of the people of France, and encourage the people of Germany, who were not disposed to be much longer the mere passive instruments of their rulers, to range themselves along with every rational government, and insist upon justice being done to Poland. The same democratic spirit would enable all free governments to show to Russia, that if she persevered longer in the career of crime, the universal voice of Europe, and the arm of Europe would be too strong for her. It was a question not of argument but of natural feeling. No country had been so ill treated as Poland. On no country had such barbarities been exercised. The conduct of Russia was most atrocious, and the amount of her crimes daily increasing. He trusted, however, that the day was not far distant when the nationality of Poland should be once more restored.

Mr. *Schonswar* expressed his abhorrence at the atrocities which had been perpetrated against Poland. He could personally confirm the statements made in the House that night, by the testimony of persons who had lately arrived from that unhappy country. He hoped it was not yet too late for the intervention of this country, and he trusted to the spirit of the people, backed by that House, to save the people of Poland from utter extinction.

Colonel *Evans* said, he fully agreed with the hon. Member (Sir George Warrender) in the tribute of respect which he had paid to the noble Secretary for Foreign Affairs. That noble Lord, although only in a few words, had admitted the right of our demanding an explanation from Russia; and that very admission was tantamount to this, that if the explanations were not satisfactory, some other course would be adopted to vindicate the honour and consistency of this country. He was glad that this subject had been brought forward by the learned Gentleman (Mr. Cutlar Fergusson), and it must rejoice every friend to liberty and humanity to hear the denunciations which were uttered against the conduct of Russia. He hoped the House would not be satisfied with denunciations, but that they would act with the courage that became a free and generous people. He should not shrink from a war, if a war became necessary, although he was glad that the peace of Europe had hitherto been preserved. If, however, as a sad alternative, war should become necessary, both England and France were bound to enter into it. Russia was really at the mercy of France and England. Her new acquisitions in Asia and elsewhere could soon be wrested from her, and by-and-by she might be reduced to her proper dimensions. If the negotiations were to terminate in hostility between Russia, and France and England on the other side, the cause of liberty could have nothing to fear from the power of the Autocrat or his allies.

Mr. *Gally Knight* felt under great obligation to the hon. member for Kirkcudbright, for bringing the subject of Poland again before the House; because he thought the House would be wanting to itself if it did not express an opinion upon this important subject—if it testified neither sympathy with the calamities, nor interest in the fate, of a nation, of which it appeared to be the destiny to offer to successive generations, the sad, but illustrious, spectacle of unsuccessful valour, and unrewarded virtue—of which it appeared to be the destiny to be always the victim of oppression, and always the admiration of the world. On the occasion of the last unhappy struggle, however much our feelings might have sided with Poland, it must be admitted, that it was a contest which belonged to Russia and Poland alone. The patriots, who appealed to the sword, took the chances of war; and, however much we might have admired the gallantry of their defence, and however much we might have wished that that defence might have proved successful—no ground existed on which it would have been justifiable for other nations to have recourse to military interference. But the war party of Paris had much to answer for. He feared they encouraged the patriots to expose themselves to an overwhelming force, by pledges of assistance which they had no power of redeeming, and by promises which no Minister could have attempted to fulfil. And now all was over. Colossal force had again prevailed. Poland had become the theatre of another tragedy. The curtain had dropped again upon a scene of anguish and of death; and weeping Fame could only record the struggles of the deserving, and blend in future eulogies the name of Czartorisky with that of Kosciusko. And here we might have expected that all would have been concluded, and that Russia, having vindicated her authority, would have proceeded to extract the germs of future disquiet, by removing the causes of just dissatisfaction. But what had been the case? The Russian Ukase of February dissipated all these dreams of mercy. Instead of being treated with lenity, Poland was deprived of her very existence as a nation; Poland was blotted out from the map of Europe, and lost amongst the provinces of an interminable empire. Under these circumstances, it became the duty of that House to express its dismay and consternation at the blow which had been inflicted on Poland, and to appeal to the faith of that treaty, which, if it had been observed to the letter in rivetting the chains of Italy, should, at least, be observed in securing the conditions which were obtained for Poland; and it would be strange indeed if the House were to hesitate in adopting this course on this particular day, when a Convention had been laid on its Table, securing to Russia advantages, at the expense of this country, in consideration of her firm adherence to the very treaty in question. England was especially bound to appeal; for what was the situation in which England stood when the Treaty of Vienna was framed? Was it not the most splendid position which this or any other country ever attained?—a position purchased by more than twenty years' struggle—by more than twenty years' magnanimity; purchased with a prodigality of treasure, purchased with the blood of the best and the dearest of her sons; a position which made England, for a moment, the permitted umpire and arbitress of the destiny of nations, and enabled her to "order peace, or war, her own majestic way." How far she made the best use of that golden opportunity he would not then stop to inquire; but, at least, he would say, that England, having thus presided over the formation of the Treaty of Vienna, was bound by all the ties of honour and good faith to protest against the violation of that treaty, when its violation was an inroad upon the happiness and independence of a nation. The Treaty of Vienna expressly mentioned, that Poland was to possess a constitution; and, in conformity with this stipulation, the Emperor Alexander erected Poland into a separate kingdom—gave her a charter, re-established the Diet, promised that Poles alone should be employed in the government of their country, and confirmed to Poland such other privileges and immunities as were necessary to her happiness and the preservation of her nationality. What, then, became of the maintenance of this part of the Treaty of Vienna, when the constitution of Poland was absolutely and entirely taken away—when the Charter was revoked—when the Diet was abolished—when strangers were to govern the land, and when Poland was made an integral part of the Russian empire. He acknowledged that Poland had been in a state of insurrection; but, when he acknowledged this, he must be permitted to say, that this insurrection was caused by repeated violations of the charter, and a series of unmerited wrongs. He acknowledged that Poland had been in a state of insurrection; but had not the penalty been abundantly paid? Could a whole nation be rightfully deprived of its constitution because a part of it had resisted? Confiscation, the scaffold, and the deserts of Siberia, had punished the act of disobedience; but were generations yet unborn to suffer for the error of their fathers? Were those who guaranteed the Treaty of Vienna to be for ever deprived of the redeeming part of their bargain? Insurrection was transitory—the penalty should be transitory also. A nation was eternal, and so were its rights. This was not the way for Russia to make Poland an useful part of her empire. The pen of autocracy might efface a name from the map, but the power of autocracy could not annihilate a country—could not teach the Poles to forget they once were a nation, or crush the recollections and the virtues which ages had confirmed. Not all the power of all the Russias would ever be able to *Russianize* Poland. If patriotism was the pride of the prosperous, it was the last support of the miserable—that consolation to which they clung the more, the more they were oppressed. If Greece, after centuries of Turkish tyranny, was again springing into life, could Russia hope ever to destroy Poland? No! she might make Poland a heap of ashes, but the embers would still be glowing beneath—she might stifle the very groans of her victims, but, though their curses might not be loud, they would be deep. All the kindly feelings of their hearts—all lofty aspirations—all the tender affections—ambition, duty, love—all would be lost, absorbed, in one wild, burning, thought, and that would be—revenge! Think of a gallant nation reduced to this extremity. Think of Poland reduced to this. Vengeance her only hope—hugged to her heart as a miser hugs his gold—transmitted, a fatal secret, from father to son—whispered in confidential meetings, acknowledged by conventional signs—always suspected, always existing—never discovered, till at last revealed in flame and in blood. Such a state of perpetual disquiet, such a source of lasting weakness would Russia prepare for herself if she persevered in her present severities; but, if generosity and sound policy re-assumed their sway in her councils, Poland might yet become the brightest gem in the Imperial crown. Something must be left to generous natures, something on which their feelings could repose; especially the feelings of those who had seen brighter days. Kindness might win where force could not subdue: let Russia reflect on this—let her see her own interest in its true point of view— let her pause—let her reconsider. Poland might yet be saved, and Europe satisfied.

Mr. *Pigott* said, that the destruction of Poland was chiefly attributable to the culpable apathy of England and France in 1792. The annihilation of Poland then took place. He regretted it as much as any man in this House; and he hoped this Government would not pledge itself to pay any money on the Russian loan until the Treaty of Vienna was fully carried into effect.

Mr. *Ruthven* was happy to hear, that the name of England had acquired a better character at the Treaty of Vienna than the world was inclined to attribute to the noble Lord who was our Ambassador on that occasion. He deprecated the barbarous atrocities of Russia, and thanked God the people of England and the Members of this House had spoken out so boldly upon the subject. The money of England should not be sent to the emperor of Russia, to pay those troops who had sacrificed the people, the nation, the laws, the language, and best institutions of Poland. The resources of this country should not be directed to the support of a despotism which the people of England abhorred.

Sir *Robert Inglis* expressed his surprise at the language which had been held in that House towards the emperor of Russia. He was surprised that the right hon. Secretary opposite, and the other members of his Majesty's Government should have suffered seven Members to proceed with such language [" *hear!*" *and* " *suffered*,"] —he meant, without its being noticed. He considered such language to be a most improper use of the freedom of debate in that House. Such language was highly improper in relation to a private individual; but when a sovereign—one, too, with whom this country was in alliance—was termed a miscreant conqueror; when the hon. and learned Gentleman used such language as that—

Mr. *Cutlar Fergusson:* I did not say so.

Sir *Robert Inglis* did not mean that hon. Gentleman, but another hon. and learned Member, who was then absent (the member for Kerry), he could not withhold his surprise that no comment was made by any member of his Majesty's Government He was not to be understood as giving any opinion for or against the Motion. He had an opinion, which he should reserve; but he must observe, that if such language were used in that House, there could be very little prospect of maintaining peace.

Viscount *Palmerston* said, that no person could regret more than he did the expressions which had been uttered by the hon. member for Kerry. He had, however, previously spoken; and he did not conceive himself responsible for the language of hon. Members. He did not feel himself justified in interrupting the hon. Member, so long as he did not intrude upon the order of the House.

Mr. *Beaumont* was surprised that the noble Lord should disapprove of the expressions which had been made use of towards the emperor of Russia. For his part, he was delighted with them. He entirely concurred with the hon. Member, that the emperor of Russia was a micreant. As a country gentleman, the Representative of a very large county, he would repeat those words. He relied on the spirit which would be evinced by the people of England, under a Reformed Parliament. They would speak in a voice that could not be mistaken.

Mr. *Hume* agreed with the hon. Gentleman who spoke last. An hon. Member complained that the emperor of Russia was called a miscreant; why, he would call him a monster in human form. If he knew language by which he could more strongly express his detestation, he would use it. He wondered that the hon. member for the University of Oxford should venture in that House to address a Minister of the Crown, and ask him why he suffered such language to be used there. Why it was not in his power to prevent it.

Sir *Robert Inglis:* I said, " without noticing it."

Mr. *Hume:* I ask, what were the words to which the hon. Member alluded.

Sir *Robert Inglis:* I stated the words, " miscreant conqueror."

Mr. *Hume* would repeat those words. They were too weak to express his feelings of detestation at the barbarities which had been exercised towards Poland. He would ask, were the accounts of the conduct of Russia untruly or unfairly stated? If anything stated by his hon. friend, the member for Kerry, was untrue, let any Member stand up in his place and deny it. If true, he asked any man possessing the feelings of a Briton, whether such language was not weak when compared to such atrocity? He had that day attended a large meeting of his fellow-countrymen, where the strongest sympathy was expressed towards unhappy Poland, and he was convinced that the whole nation participated in that sympathy.

Mr. *Wyse* said, that this was not the first time that he had heard great tenderness recommended towards the emperor of Russia, who was, perhaps, the most questionable sovereign in Europe. Liberty of speech on such subjects as these was highly desirable; and it was an idle thing to suppose that it was possible, by diplomacy or cunning, to check the just indignation of the people of this country. He felt much pride in believing that, by such debates as these, they were raising a moral barrier against the inroads of Russian despotism, and he was, therefore, grieved to find that there was one man in that House who thought proper to deprecate such a discussion. The hon. Gentleman then went on to contend, that the constitution that had been given to Poland, pursuant to the Congress of Vienna had been violated in every respect; and in the place of liberty, oppression and despotism had been dealt out to them. It was sufficient to show what was the tendency of Russian policy towards Poland, by stating the one fact, that in spite of all remonstrance—in spite of all petitioning—Constantine had still been allowed to tyrannize over Poland, until at last the Poles had nothing left but the last appeal to the sword; and nobly had they made that appeal. Though the noble attempt of the Poles had failed, yet he did not despair: the force of moral influence would do much; and success must finally attend their cause, when it was known that the united voice of England was in favour of that magnanimous but unfortunate people.

Mr. *Baring* said, that although the hon. Member who had just sat down thought proper to reprimand his hon. friend, the member for Oxford, for complaining of the strong language used by the hon. and learned member for Kerry, yet he (Mr. Baring) thought, that the tone of moderation and good taste with which the hon. Member himself always addressed the House, was at least a tacit reflection upon the language complained of. He concurred entirely with his hon. friend, the member for Oxford that it was not necessary to go into a discussion of the feelings of any Gentleman who might allow himself to use expressions of that description; but he must still maintain, that the old practice of that House had been, when speaking of the Sovereigns and other great Powers of Europe, especially those in alliance with this country, to do so with a decency and propriety of language. This practice had, at least, the utility that it tended to maintain the peace of the world; for it was a fact, that conflicts between nation and nation often originated from irritations of that description, and for the many years he had sat in that House, such expressions were not suffered to pass by without comment. Undoubtedly it showed that the great progress of civilization, of which the world so much boasted, had not operated there. When speaking thus of Sovereigns, he would not exclude from the same rule the President of the United Sates; in fact, the more that free governments were established in the world, the more sensitive they were to allusions of that kind, which were calculated on all occasions to rouse an unfriendly spirit amongst nations. Therefore he held the interference of his hon. friend was most useful, in bringing them back to the old rules of the House. He rose principally to express his opinion on that subject. The question of Poland, which had been raised by the hon. member for Kirkcudbright, as the hon. member for Kerry had said, was more a matter of feeling than of interest to this country; as a matter of feeling it was of great importance, but as a matter of national interest, he did not regard it of any great consequence; nor did he think the Russian power to be so threatening to the peace of the world as had been described. From considerations of humanity he could not suppose a case more affecting than that which Poland presented; and he admitted to the fullest extent the title of that nation to the sympathy of the world. Without looking into the question of the nature of the rebellion—and a more righteous rebellion never manifested itself in any country—he would merely notice the character of the government imposed upon Poland. What was that government? The empire of Russia had rejected the lawful heir, as being unfit to reign over that nation; and yet Poland—unhappy Poland—was the unfortunate victim over which that man was appointed to reign. Though he had himself condemned the use of strong language, yet he did not know in what terms to describe the character of that individual, whom all Europe, though at that period more peculiarly enamoured with the doctrines of legitimacy, still universally condemned. No person who heard what passed in Poland but knew that the greatest provocation had been given to the people of that country. At the same time he must add, that this country was not called upon, and would not be justified in attempting to redress the wrongs of other countries, nor could we be expected under any circumstances to sally forth to redress the injuries sustained by them. He, however, hoped that the noble Lord at the head of the Foreign Department would use his influence, in conjunction with the parties to the Treaty of Vienna, to enforce with temperance, and at the same time with firmness, the stipulations of that agreement. The hon. Member concluded by observing, that those who voted for the payment of 5,000,000*l.* to Russia, on the score of policy could not justify that vote but by admitting the necessity of a conciliatory policy.

Mr. *Sheil* said, that the member for Thetford would have them "mince their words, and mollify damnation with a phrase." He was right; but he should make allowance for others, who himself had had sometimes occasion for indulgence towards his vocabulary; and it would not be amiss for him to consider a man as pardonable for speaking of a miscreant on his throne, as for speaking of his fellow-citizens (a portion of the English people) as "blackguards in the streets." The hon. member for Oxford had been the first to find fault with this fervour in favour of the Poles. But was he not the man who had introduced the case of the Vaudois into that House? What were the bursts of eloquence that emanated from the hon. Baronet on that occasion? In what terms did he not denounce the oppression with which his fellow-religionists were treated? But this evening how soft, mellifluous, and gentle, had he become! His words had fallen like drops of honey from his lips in speaking of the emperor of all the Russias. The member for Thetford, however, had not followed his example. It was true, that he had no objection to pay reverence to an Emperor, perhaps on the principle that others were ready to "respect the Devil for his burning throne." But, nevertheless, he ventured to condemn the conduct of Nicholas, and would not trust himself with writing Constantine's epitaph. For his part, he (Mr. Sheil) would not call Nicholas a miscreant; because, when he saw a man delegating his brother, into whom the spirit of Nero must have transmigrated—if there was a metempsychosis among despots, to tread the heart of Poland out—when he saw him betraying a nation of heroes into submission, and then transporting them to Siberia, shaving off the grey hair of nobles with the blood of Europe's saviours in their veins; degrading and enslaving women, sparing neither age nor sex, and thrusting the hand of a ruthless and Herod-like infanticide into the cradle of Polish childhood. When he saw him acting thus, and leaving himself nothing to add to damnation, he would not call him "miscreant," because the word was too poor and incommensurate with his depravity, but exclaim, "Oh, thou art worse than words can give thee out."

Mr. *Maurice O'Connell* expressed a hope that the hon. Baronet would explain away the terms that he had used towards the hon. and learned member for Kerry, which in his (Mr. M. O'Connell's) opinion, were highly unparliamentary. Did the hon. member for Oxford mean to say, that the hon. and learned member for Kerry would not say in the presence of the Ambassadors what he had said in that House? He remembered to have read the strong language used by Mr. Canning, in relation to the President of the United States of America, and that was quite as bad as any that had fallen from the hon. member for Kerry.

Sir *Robert Inglis* did mean that the language used by the hon. member for Kerry was very improper. The hon. and learned Member had applied the word miscreant to an absent person, and such language was, in his opinion, unbecoming in any hon. Member; he merely stated his view of the matter without meaning to give any offence to any hon. Member.

Sir *Robert Peel* could not help expressing his satisfaction that the Motion shortly to be put from the Chair was of a character so different from the tone of this debate. It pledged the House to no particular line of conduct, but called for that information, the possession of which, in an official shape, was necessary to enable it to form a judgment, and he must say, he wished many Members had waited for that information before they had expressed such decisive opinions. It was well for hon. Gentlemen to say that now was the time for France and England to unite, in order to compel the other Powers of Europe to adopt a certain line of policy; but the House must be sensible, that there was a moral obligation imposed upon a great country like this, to weigh well, before enteringin to it, the justice of a war, the probability of its success, and all its possible consequences. It was our duty, no doubt, also to consider what were our engagements to other countries, and no fear of war should prevent us from fulfilling those engagements; but, before they lightly determined on war, and undertook to predict its success and limit its consequences, let them well consider the position in which the country stood, and what it was bound in good faith to do. The hon. and learned Mover had, therefore, pursued the proper course, by calling, in the first instance, for information. He considered it important that no obligation contracted under the Treaty of Vienna ought to be kept out of view; but there was another document required in order to supply all the means for judging of this question—he meant the constitution granted to Poland by Alexander, the production of which he would suggest as an addition to this Motion. He should not have done this, had the noble Lord objected to the Motion as interfering with pending negotiations. The hon. and learned Gentleman had fortified his claim to the sympathy of Parliament and the country, by referring to the severities which had been inflicted by Russia subsequently to the insurrection. He was the last person to vindicate the infliction of those severities—that is to say, if it were clearly ascertained that they had been inflicted. He could only consider them impolitic in the extreme, for he did not understand how the affections of any country could be conciliated by such a course of proceeding. He doubted its justice as well as its policy; but, before he joined in the indignation which had been expressed, he wished to be quite certain that the allegations were true, and would suspend his judgment till he was satisfied upon that point. He had too often known accusations brought against persons in that House prove, on inquiry, to be erroneous, to give hasty credit to those preferred against persons at a distance, and living under another government. Statements had been even made of transactions taking place in the very streets of London, published in all the newspapers, and noticed in Parliament as undoubted facts, and then, the very next day, they had been contradicted, in the most positive manner, by the heads of public departments, and declared to be without the shadow of a foundation. If it were true, as had been asserted, that hundreds of young children had been daily removed from Poland—nay, if any number, however limited, had been torn from their parents, for the purpose of being transferred to a foreign land, it would be not only impossible to attempt a vindication of such proceedings, but impossible to avoid participating in the indignation which had been expressed. With respect to the language which had been applied to the emperor of Russia, he cordially concurred with his hon. friends, the member for the University of Oxford, and the member for Thetford, in deprecating such language. He must protest against the emperor of Russia—a foreign sovereign with whom the country was in alliance—being called a miscreant, and the king of France denounced as a stockjobbing sovereign and a traitor. The hon. member for Middlesex said, that the protests of his hon. friends and himself were attempts to interdict the freedom of speech. They were the very reverse: they were in themselves the exercise of that freedom. A Member might, if he thought fit, use such language, but other Members had as clear a right to enter their protest against it. He would venture to say, that the gallant Poles, the objects of their sympathy, never indulged in such expressions: they felt the hand of oppression, and resorted to the most vigorous means of redress, and their dignified remonstrances excited more sympathy throughout Europe than if they had exhausted the whole vocabulary of Billingsgate for the purpose of abusing their opponents. He did not deny the right of the hon. member for Middlesex to apply these indecorous expressions of abuse, or the right of the member for Louth to abstain from using them, on the ground that, even with his copious command of language, he could find none adequate to express his feelings; but he doubted whether it were politic to rally round the Emperor of a powerful country the proud and independent feelings of his own subjects, through indignation at the insults offered to their Sovereign. Did hon. Members imagine that a continual tone of insult in the French Chambers, applied to King William 4th, would tend to conciliate the feelings of England, or obtain from England the redress of any wrong of which France might have to complain? Would not every man in the nation feel that his independence was insulted, if the sovereign, who was his organ of communication with foreign countries, was continually loaded by foreigners with opprobrious epithets? So far from such a mode of expressing their sentiments advancing the object in view, it must inevitably retard it, first by diminishing respect for their character, and next by making it almost impossible to yield to menace and insult that which might readily be conceded to moderate and decorous remonstrance. We had had experience in the history of our own times, that national disputes might be embittered by the incautious use of insulting language. The learned Gentleman who spoke last, justified the use of violent expressions by the example of Mr. Canning in our disputes with the United States. He doubted whether Mr. Canning himself, if he were now alive, would admit the justification. If the learned Gentleman would refer to an earlier period of our controversies with the United States, he might learn, that a whole nation resented the insulting tone assumed by Mr. Wedderburn towards Franklin. In short, all experience proved the policy of abstaining from the use of such language. Such, too, had been the usual practice of the House, and, when that practice had been violated, some Members of the House had always expressed their dissent from, and regret at, the violation. He did not think, then, that the noble Lord, the Secretary for Foreign Affairs, could possibly have said less than he did in deprecation of the course that had been pursued. If the anticipations of hon. Gentlemen were, that a Reformed Parliament would be infinitely more abusive, he hoped the Members of a Reformed Parliament would follow the example of that hon. Member, who, in the course of the debate, had quoted the sentence of Bacon with respect to strawberry-beds. He was led to expect from the hon. Member himself some strong expression that would deeply embitter the animosities of the debate, but when the hon. Gentleman calmly referred to Lord Bacon's excellent chapter on gardens, and said that the victories of the Russians over the Poles would be like trampling upon strawberry-beds, he felt greatly relieved. The hon. Member would probably himself be in a Reformed Parliament, and he trusted he would set the example of inflicting censure in language so figurative, and so void of offence, that no foreign Power would probably understand, and certainly would never resent it. No man would more strenuously remonstrate against an infraction of public faith than he would; but there was no man who had a more cordial abhorrence of war, and no one who felt more strongly the public calamity which war would inflict upon the whole world, than himself; and he thought it would be prudent, if, before indulging their sympathies and feeling, they saw a clear case made out as to the extent of the obligations imposed upon this country, as to the chances of success, and the probability of aiding those who might be the objects of the national sympathy. It was impossible to avoid expressing admiration of the Poles; but, knowing what he did of the personal character of the Emperor Nicholas—understanding what had been his uniform conduct with respect to his own subjects—hearing the testimony in his favour of the noble Lord opposite, which he was sorry to find him disposed so hastily to retract—he could not credit, without full proof, the infliction of severities which would not only be unjust, but most impolitic. Upon this, then, as upon all other occasions, he entreated those who might be in a Reformed House of Commons, to consider well before they entered into any precipitate resolution likely to involve this country in war; but, if they should come to such a resolution, the more temperate the language in which it was couched, the more credit would the world give them for intending to abide by it.

Motion agreed to.

HOUSE OF LORDS.

Friday, June 29, 1832.

MINUTES.] Bills. Read a second time:—Division of Counties and Boundaries; Trespasses (Scotland.)

Petitions presented. By the Earl of RADNOR, from Clonmel, for an efficient Reform to Ireland.—By Earl GREY, for the Alteration of a Clause in the Scotch Reform Bill.—By the Earl of ROSEBERRY, from Newport, for equal Privileges with Barnstaple.—By Lord KING, from Warwick, in favour of the Vote by Ballot.

DISTURBANCES IN THE COLLIERIES.] Lord *Wharncliffe* rose, pursuant to notice, to present a Petition from certain Owners and Lessees of Collieries in the neighbourhood of the rivers Tyne and Weare, which petition related to the present state of those collieries. He was anxious that the public should know the cause of the dispute which unhappily existed between the workmen and the coal-owners. In doing this, he should be obliged to explain, in some degree, the connexion which subsisted between the pit-men and the owners of mines. It was necessary that he should do this, in order that their Lordships should correctly understand the situation in which the parties respectively stood. It was customary, in that trade, for the pitmen, in the month of April, to engage with the owners of the pits for one year, on certain specified terms. Part of those terms was, to supply a house to the workman during the time he was so employed. In the month of April, 1831, at the time of binding for the ensuing year, a considerable increase of wages was demanded by the colliers. That increase was at first refused, because it was considered to be much greater than the trade could bear. After a certain time, however, the owners gave way to the demand of the colliers, and agreed to allow the increase of wages to the extent then called for. This went on till the month of November, 1831; and, that being the time when the demand for coals was greater than in any other period of the year, the pitmen, acting under what is called "The Union," refused to work for more than a certain number of hours, which number was settled by "The Union." The owners, naturally unwilling to submit to such a system of dictation, discharged the refractory colliers, and obtained assistance, and procured the aid of a number of men, to work their collieries, from the lead mines and elsewhere. The men who were thus employed to supersede the refractory colliers, were then out of work. This proceeding led to outrage on the part of the men who were discharged. The first outrage was committed at Morlage, in the county of Durham, where the refractory colliers endeavoured to prevent the working of the engines which raised the water out of the pits. At this time the workmen hired from other quarters were occupied in the colliery; and, if those misguided workmen had not been prevented, by the timely arrival of the military, from carrying their horrible purpose into execution, all those who were then employed in the colliery, would inevitably have been drowned. This melancholy catastrophe was, however, happily prevented. When the binding time came round again, the owners, seeing that, if they left the settlement of these matters to the colliers and their supposed friends, they must be ruined; perceiving that if they gave way still further, as was demanded of them, the pitmen would work or play just as they were directed by "The Union;" the proprietors, thus situated, determined to make a stand against further encroachments. They offered the workmen the same terms as they had done in the preceding year; and, to show that the offer was not much less than those individuals demanded, he begged to state what that offer was. They were offered 15*s*. a week, play or work; that was, whether the demand for coals was great or small. Coals were also to be supplied to them, and medical assistance was to be afforded, if they were afflicted with illness. The fact was, that if, on a press of demand, they worked eight hours, they might earn from 4*s*. to 6*s*. a day. In the south of England their Lordships all knew that labourers were working, during a longer time, for infinitely less. The owners, determined to emancipate themselves from this system of tyranny, in the first place came to a resolution, that the overlookers of the pitmen—that those who were employed to see that the pit-men did their duty fairly, and to whom, in fact, their interests were intrusted—should not belong to any of those "Unions" with which the men had become connected. The workmen demurred to this determination, and the consequence was, that many individuals connected with the Tyne and Wear collieries refused to work, and they were supported in their idleness out of the funds of the Union Society. This did not pass quietly. The owners, as they were bound to do, for the sake of themselves and families, looked out for other servants. They applied, in the first instance, to persons who had been thrown out of work by the bad state of the lead-mines; and they also employed a number of colliers from Darlington, and other distant places. The result of this proceeding had already been the loss of two lives. A man employed at one of those collieries from which this petition came, having refused to belong to "The Union," was shot dead in open daylight. This occurred in the month of April. In the beginning of the present month, a Magistrate of Sunderland, who had been active in affording protection to those strangers who came to work in these denounced collieries, was dragged from his horse, and beaten so savagely about the head, that he had since died, in consequence of the cruel treatment which he had experienced. Yesterday, he was sorry to state, an account of another outrage had reached town. It was at first said that the life of the individual attacked had been sacrificed. He was, however, happy to say, that such was not the fact. The man who in this instance was assailed, was passing by a very public place near the town of Shields. He was suddenly, even in that public place, furiously attacked, and cruelly beaten. He had stated these facts, in order that his Majesty's Ministers might be fully aware of the present situation of that part of the country to which he referred. Every correctly judging man must see, that this was not a mere dispute between the coal owners and those whom they employed about the amount of wages. No; it was an attempt—and a just one—on the part of the owners and lessees of collieries to set their faces against this system of intimidation, which was ruinous not only to their interests, but to the interests of those who blindly supported it. If such a system were sanctioned, if it were not put down effectually, no man could embark in the coal-trade, and the public in general must ultimately suffer. If the masters were not allowed to do that which they thought best, both for their own interests and for those of the workmen (for, be it remembered, that those interests were inseparably united); if they were to be placed under the control, the despotic control, of those Unions, then he would say, that no trade could be carried on, in any part of the country, where such a system was suffered to prevail. The petitioners wished their Lordships to appoint a Committee, to inquire fully into this subject. How far it might be advisable to take such a step, it was not for him to say; but he could not help observing, that it would afford great satisfaction to that part of the country from which the petition emanated, if his Majesty's Government would give their attention to this subject, for the purpose, if possible, of organizing a more powerful and efficient police force. The constabulary force, as it was at present constituted, was not sufficient for effectual exertion in times of great exigency and great excitement. A more efficient police ought to be established to afford protection and assistance to the well-disposed, whenever acts of outrage and insubordination occurred. As to the employment of the military on occasions of this kind, he knew that of late years an opinion had gone forth, that they ought not to act except in the presence of a Magistrate. Now, he believed the law to be, that in case of any flagrant and decided violation of the peace, a military officer, whose duty it was to preserve the peace as far as he could, had a right to interfere, though no magistrate might happen to be present. In his opinion, a soldier was as much bound to give his assistance in putting down outrage and riot, as any other citizen in the country. Having said thus much, he would recommend the petition to the serious consideration of their Lordships; and he should move that it be read at length.

The Petition having been read,

Viscount *Melbourne* said, that from all the information which he had received on this subject, he was sorry that he was compelled to confirm the statements of the noble Lord. The observations which the noble Lord had made to the House were undoubtedly founded on fact. Concessions had been made by the owners and lessees of coal-mines to the workmen employed by them, but those concessions had only given rise to more exorbitant and unreasonable demands. It was impossible not to concur in the truth of the statements contained in the petition; and certainly, the interest of those who now applied to the House ought not to be allowed to be sacrificed, in the manner which had been described, by the conduct of those who ought to be actuated by very different feelings. He could not avoid expressing his deep and serious regret at that system of combination and of intimidation which at present existed throughout the country. It reared its front in so audacious, open, and violent a manner, throughout the manufacturing districts, as was truly alarming. And what was the effect of that pernicious system? It was injurious to the manufacturers, it was injurious to the trade and commerce of the country generally; but it was more particularly and decidedly injurious to the interests of the misguided workmen themselves. Those individuals attempted to do that which practical men knew could not be effected; they endeavoured to regulate that which could not be regulated; they wished to settle the rate of wages upon one particular footing, when every person who thought on the subject must see, that the rate of wages must be regulated by the quantity of labour in the market, and by the demand which existed for it. To suppose that a permanent rate of wages could, under all circumstances, be secured to those individuals, was downright folly. Yet that principle had been promulgated, and the passions of those people had, in consequence, been inflamed; their feelings had been excited; and, strange to say, many of them suffered themselves to be impoverished—for what? Why, to support the idle and the profligate, who refused to work on the terms which were proffered to them. They sought an object which they never could attain; and, even if they were successful, the extravagant rise of wages could be but temporary. But, even supposing that it would be permanent, it could scarcely compensate the losses of those who had taken an active part in this proceeding. He entirely agreed with his noble friend in the opinion, that such a system was calculated to impoverish every part of the country in which it prevailed. He was very sorry to find, that this pernicious system was rapidly communicated from one part of the country to another. His noble friend must be aware—more, perhaps, than any other man—that the old Combination laws, which were repealed in 1824, had a very salutary effect in putting down conspiracies of this description. The subject was a highly important one, and he could assure his noble friend, that every attention would be paid by his Majesty's Government to the statements contained in the petition. No effort should be spared by his Majesty's Government to correct the evils and abuses which grew out of this system of combination. He believed that, in the places more particularly alluded to, there was a sufficient military force to prevent violence and outrage. With respect to the proposition for enlarging the police force, he believed that no difficulty existed to prevent the establishment of such an efficient force, so far as respected the procuring individuals who would be willing to serve in it. The great difficulty, he believed, would be, to find persons willing to bear the additional expense which would be attendant on it. If his Majesty's Ministers were convinced that the inhabitants of the north of England were ready to assent to such a plan, they would at once concur in the measure. He would, however, recommend, that in any such proceeding, due attention should be paid to the discretion, opinion, and recommendation of Magistrates, who were on the immediate spot.

Lord *Ellenborough* said, the noble Viscount had observed, that Ministers feared, if they proposed a new system of police for those districts which were mentioned in the petition, that the inhabitants would be unwilling to bear the expense. Now, a former Administration, in proposing the metropolitan police system, had not been deterred by any such considerations. They acted entirely on the necessity of the case. A notification, on the subject of a general system of police, had been made at the commencement of the session. In the Speech delivered by his Majesty at the opening of the Session, an allusion was made to this very point; and they had no right to suppose that the subject would have been introduced in the King's Speech unless Ministers had considered of it, and were ready to come forward with some specific proposition. Not a word, however, had they heard on the subject since. In his mind, they had not acted as they ought to have done, when, through the medium of his Majesty's speech, they called the attention of the House to this subject, without having themselves, in the first instance, maturely considered all its bearings. Ministers would not, he contended, be fulfilling their duty, if they did not bring forward a measure for the preservation of the peace in all large towns, and more especially in those great and populous districts where the public tranquillity had been recently violated.

Viscount *Melbourne* gave to the last Administration full credit for their exertions in forming an efficient metropolitan police, but he was sure that the noble Lord himself must see the very great difficulty that was connected with a plan having for its object the formation of a general police for the whole country.

The *Lord Chancellor* said, that every disposition was felt by his Majesty's Ministers to redeem the pledge on the subject of a general system of police, which had been given at the commencement of the Session. A measure of that nature had been, and still was, under consideration; but the difficulties and objections that were opposed to it, many of them of a local nature, were infinitely greater than noble Lords seemed to suppose.

Lord *Wynford* said, he was sure that the present Ministers could never suffer corporation privileges to stand in the way of the preservation of peace and tranquillity, for which corporations were established.

Lord *Ellenborough* hoped, whatever measure was introduced, that this pervading principle should not be lost sight of—namely, that the police appointments should rest on the responsibility of his Majesty's Government.

Lord *Holland* was of opinion, that the suggestion of the noble Lord was not intended to facilitate the carrying any new measure speedily into effect.

Lord *Ellenborough* said, that unless his suggestions were acted on, any measure of police would be nugatory.

Petition laid on the Table.

HOUSE OF COMMONS,

Friday, June 29, 1832.

MINUTES.] Papers ordered. On the Motion of Mr. JOHN WOOD, the Rules by which the different Overseers in England levy the Assessments for the Poor, and the Amount of the Assessments.—On the Motion of Mr. BRISCOE, Copies of all the Sentences awarded in the different Courts in New South Wales and Van Diemen's Land, since 1823.

Bills. Read a second time:—Forgery; Taxed Carts.

Petitions presented. By Mr. BAILLIE, from Bristol, against the General Inclosure Bill; and in favour of the Vagrants (Scotland and Ireland) Removal Bill; and by Mr. BRISCOE, from Lambeth, in favour of the same Bill.—By Mr. SADLER, from Tottingdon and Castleford, in favour of the Factories Regulation Bill.—By Mr. STRICKLAND, from Kendal, against the General Register Bill.—By Mr. BRISCOE, from the Prisoners confined for Debt in the King's Bench Prison, for the better Managing that Establishment; and from Camberwell, for a better Observance of the Sabbath.—By Lord KILLEEN, from five Places in Ireland, against Tithes; from Youghall, for Abolishing the Punishment of Death; and from the Wolverhampton Political Union, for an efficient Reform for Ireland.

TITHES (IRELAND)—CALL OF THE HOUSE.] Mr. *O'Connell* said, in answer to a question, he should be exceedingly happy if he could, consistently with his sense of duty, comply with the request to withhold enforcing his call of the House, of which he had given notice for Thursday next. The question then to be discussed (the Tithe Question) was one which was of so much importance, that he should not be acting properly if he did not enforce the call. He was exceedingly sorry to give trouble to any hon. Member, but he considered it his imperative duty to act as he had done. The intention of amalgamating tithes with the rent was, in his opinion, merely a bonus to the people of Ireland to withhold the payment of their rents. Whatever might now be done with respect to that question, tithes would never again be paid in Ireland. He felt very sorry that he was obliged to trouble a House which had already declared that it did not represent the people; but the question was one of very great importance, and he should be under the necessity of taking the sense of the House upon every question that was put from the Chair. The Government would have acted much better had they deferred these bills till another Session of Parliament.

Sir *Matthew White Ridley* was sorry to hear what had fallen from the hon. member for Kerry. He could not agree with him in the opinion which he had formed with regard to the tithe commutation. He knew, from great personal experience in England, that where landlords had entered into an arrangement with the clergyman, by which tithes and rent were all paid as rent, there neither was difficulty in getting the rent, nor were there any complaints of the plan; but, on the contrary, it was very much approved of in the north. He hoped the hon. Member would reconsider his intention, and not give the House the unnecessary trouble of dividing upon every question from the Chair.

Sir *Charles Wetherell* was decidedly against the bringing in these Bills at the present late period of the Session. They might lengthen it to an indefinite period.

Mr. *Shaw* was afraid, as the hon. and learned member for Kerry (Mr. O'Connell) said, that, whatever plan Government might now propose with regard to tithes, they would never be paid in Ireland. In the hon. and learned Member's opinion, they were already extinct, and he (Mr. Shaw) was much afraid rents would soon follow the same course. He had read in *The Dublin Evening Mail*, an account of a meeting of 100,000 people, who assembled to carry in procession to the grave two coffins, on which were inscribed Tithes, and Rent. At the interment of these two coffins a Catholic priest presided, and the mob after burying both tithes and rent, defaced several monuments and cut down trees. They must look, he was afraid, for a repetition of such scenes. He trusted, however, that the hon. Secretary for Ireland would persevere with his plan, in order that the clergy might be enabled to live. They were now living merely upon the bounty of their friends, and as they had had their hopes raised by the promises held out by that hon. Gentleman, he sincerely trusted that they would not now have to complain of the right hon. Gentleman deserting them. He begged to ask the right hon. Secretary for Ireland, whether it was the intention of the Government to press on the measures of which he had given notice with respect to tithes; for he could not help fearing lest the right hon. Gentleman might be overborne by the threats or the solicitations of the hon. member for Kerry, and induced to postpone them.

Mr. *Stanley* said, he would not, nor would it then be proper, to enter into the general question; but, in answer to the hon. and learned Recorder's question, he would state, that undoubtedly it was not the intention of his Majesty's Government to postpone these measures, as they were of too great importance, both to the clergy and to the people of Ireland, to allow them to stand over until another Session. At the same time, although it was their intention to introduce three distinct measures, it did not follow that they should all be passed into a law before the prorogation. The first Bill, however, at least, if not the first and second, would be carried through Parliament. The first, independently of anything else, would be a material improvement on the present system, without which the ulterior part of the plan could not be carried into effect.

Mr. *Leader* could see no benefit which

would result from going into the consideration of these measures at a late period of the Session, as they must necessarily be left incomplete.

Mr. *O'Connell* was really glad to hear that only one of the Bills was to be carried through this Session. He begged to ask the right hon. Gentleman the nature of the first Bill. If only one of the Bills was to be passed, he would not persevere in the Call of the House which he had given notice of for Thursday.

Mr. *Stanley* said, he would on Thursday move for leave to lay on the Table three distinct Bills. The first was, to make certain amendments in the existing system of composition, rendering it both permanent and compulsory, to which it was the intention of the Government to attach a clause which would render the landlord, not the tenant, liable. The object of the second was, to vest the Church revenues in the Ecclesiastical Commissioners; and of the third, the redemption of tithes by a land tax.

Lord *Killeen* agreed with the hon. and learned member for Kerry, in thinking that the plan adopted by Government was not a wise one, as it would create great jealousy in Ireland, but he acquitted Ministers of any intention to cause such a feeling.

Mr. *Goulburn* suggested, that it was, at all events, fitting some support should be secured for the clergy, until this question was finally decided. Otherwise, from the present state of things in Ireland, the incumbents and the whole body of the clergy would be left without any means of existence.

Mr. *O'Connell* did not often agree with the right hon. Gentleman who spoke last, but he did in this instance. Supposing that the Government were ever so right, and the people quite wrong, still the sentiment against the payment of tithe was now almost unanimous in Ireland, and so strong, that even those who were desirous to pay them, dare not, from the fear of that civil excommunication which would be the result of such payment. Under these circumstances, the contest being now kept up would only tend to deprive the clergy of every thing, for out of their livings they would get nothing.

Mr. *Stanley* rose to order, and complained of Mr. O'Connell going into details, and entering upon the general subject.

The *Speaker* decided that there was no breach of order.

Mr. *O'Connell* would give one instance with respect to a living which had been lately divided, leaving all the duty and all the Protestants to one clergyman, with 100*l.* a-year, while another was to have 900*l.* a-year, without either a church or a Protestant in his parish.

Sir *Charles Wetherell* repeated the suggestion made by Mr. Goulburn, and said, that it was too late to consider the whole of this subject in the present Session.

Mr. *Ruthven* said, that the right hon. Secretary's proposition, in making a compulsory composition, was deceptive, and he hoped it would be postponed, for he was confident it would give great dissatisfaction in Ireland.

Subject dropped.

PARTY PROCESSIONS (IRELAND).] Mr. *Stanley*, in rising to move that the House resolve itself into a Committee, on the Reform of Parliament (Ireland) Bill, wished to make one observation on the Bill relative to Party Processions in Ireland. Having ascertained, not without feelings of regret, that it was the fixed determination of many Irish Members to fight this Bill in all its stages, and take every mode of impeding its progress which the forms of that House sanctioned, he had ceased to hope that he should be able to get it through the House this Session. He, in saying this, did not mean to be understood as despairing of the success of the Bill, when again introduced, or as having abandoned his opinion. Since, however, these hon. Members had thus resolved to oppose a Bill which it was intended should have strengthened the arm of the civil power and the Magistracy in Ireland, he would remind them, that upon them would rest the responsibility of refusing that aid at a time which imperiously called for the assistance of the Legislature. Taking into consideration the state of excitement in which that country was now plunged, that responsibility was increased by the circumstance of the near approach to party anniversaries; and the fate of the 12th of July next might be involved in the resolution come to by these hon. Gentlemen. The events of that day, if disastrous, must be controlled and decided altogether by the common law, as it stood now. He earnestly entreated, therefore, the hon. Members who opposed this Bill, and who possessed influence with either of the opposite political parties in Ireland, to contribute by every effort in their power, to the maintenance of peace and the support of the law; and more particularly did he make that appeal to the hon. member for Sligo, who the other night had stated that he possessed the means of influence, if he were disposed to exert them. With this explanation for not proceeding at present with the measure, he should now move the Order of the Day for the further consideration of the Reform of Parliament (Ireland) Bill.

Colonel *Perceval* said, that having been alluded to by the right hon. Gentleman, the Secretary for Ireland, who had endeavoured to throw upon him (Colonel Perceval) the responsibility of all that might take place on the ensuing 12th of July, he felt bound to rise (contrary to his intention) on the present occasion. He himself had only become an Orangeman (for such he was ready to admit himself to be) within a very short period, and he also admitted, that he had on a former occasion expressed his opinion, that the law, as it now stood, was sufficient to prevent these processions. He must at the same time say, that the language which had been applied by the right hon. Secretary for Ireland—namely that the opposition to the measure was that of the bigotted partisans of an expiring faction—was such as ought not to have been used in reference to a body comprising the wealth, rank, talent, intelligence, and loyalty of Ireland. He had (he admitted) on a former occasion endeavoured to ward off the pointed insult which had been thus offered to the body, because he did not know to what extent or results these insults, if acted upon, might lead. He had endeavoured, as he should still endeavour, to prevent the processions from taking place.

Mr. *Lefroy* was not surprised at the anxiety which the right hon. Gentleman had just displayed to shift the responsibility from the shoulders of the Government to those of the Protestant gentry of Ireland; he, however, cast back on the Ministers all that responsibility, for they alone were answerable for the consequences that might ensue on the failure of this Bill. Either this Bill was of importance, or it was not; and if the Government really thought it of importance, why had not the right hon. Gentleman brought it forward sufficiently early in the Session to insure its being passed before the 12th of July?

Mr. *O'Connell:* I am desirous that the right hon. Gentleman and the Government should take a lesson from what is occurring at the present moment; for they may learn from it in how very different a spirit those who belong to the popular party receive a concession from those who are represented by the two hon. Gentlemen who have just preceded me. Instead of expressing any pleasure at the concession—instead of thanking the Government for it—instead of being gratified that their wishes are likely to be carried into effect, they have received the boon with taunts and have returned insult for concession. Their business ought to be to pour oil on the troubled sea of public opinion; but, instead of that, they are blowing the waves into additional fury. I, however, am determined to do my duty; and I here promise to address the Catholic population of the North of Ireland in the strongest terms, for the purpose of persuading them to go out of the way of those processions, so that, if possible, no blood may be shed; and I also implore the Gentlemen on the other side, to come forward, and by their solicitations and advice to do all in their power to prevent mischief on the 12th of July. I implore them to show by their conduct that they know how to deserve this concession that the Government has made. Setting aside political differences, I know that there is not one Protestant gentleman in Ireland who would not deeply lament the circumstance of one single life being lost owing to these processions; there is not one of them who would not shrink with horror from such a supposition; there is not one of them in whose breast the spirit of humanity does not exist—and I, therefore, implore them, one and all, to use their best exertions to prevent these processions, from which so much danger is apprehended.

Lord *Althorp* said, that it was only late in the present Session that the Government had become aware of the extent to which it was proposed these processions in Ireland on the ensuing anniversary should reach, and to that might be attributed the lateness of the period at which the Bill had been introduced; and, though the hon. member for Sligo might do his best to prevent their taking place, he feared the hon. Gentleman would not succeed. Now, if the hon. Gentleman thought these processions dangerous to the peace of Ireland, it surprised him that the hon. Gentleman should oppose this measure. He well knew that it had been the constant complaint in this House, that the law was insufficient to suppress these processions, and he must say, that he thought the Bill proposed was a most desirable measure to effect that object. It was a Bill that ought to be passed, and he expected that it would be so at a later period of the Session, when it could not be urged as a pretext for opposition to it, that it went to operate against particular parties on a particular occasion.

Mr. *Goulburn* felt it due to the hon. member for Sligo to say, that he had ever found him ready, during the period of his (Mr. Goulburn's) connexion with Ireland, to prevent these processions, and he could not but deprecate the allusion to that hon. Gentleman, as responsible for the transactions of the ensuing 12th of July. He could not but recommend all parties to use their best and most active exertions for the prevention of the processions, from which so much evil was dreaded. His hon. friend, the member for Sligo, had signified last night, in private conversation, that all the influence he possessed should be employed to prevent these processions on the 12th of July. He could also assert, that during the time when he was in Ireland there was no Gentleman who exerted himself more than the hon. member for Sligo, to preserve tranquillity.

Mr. *Shaw* said, his opposition to the Bill was entirely founded upon its partiality and not upon its principle. He believed he was not alone in entertaining a fixed hostility to the Bill on that account. He most sincerely concurred with hon. Members in the recommendation to all persons of influence to use it discreetly in repressing all demonstration of party feeling, which might end possibly in the effusion of human blood.

Sir *Robert Peel* regretted exceedingly to hear it stated, that there was any prospect of the public peace being broken in Ireland on the 12th of July, but he trusted that those who possessed influence in Ireland, by their station or their property, would not only individually exert themselves, but meet for the purpose of issuing unanimous exhortations to the Protestants of Ireland—to prove that this law was not necessary, and to induce them voluntarily to abandon that which would necessarily give pain to others of the community. That would be a real triumph, to dispense with the necessity for this law altogether, and he felt confident that every Protestant gentleman would be ready to do all in his power to prevent a collision, or the possibility of one single life being lost. With respect to the Bill itself, he certainly was prepared to support its principles; but, nevertheless, he should have wished to see certain modifications introduced; for instance, he would much rather that a general power should have been vested in the hands of the Lord Lieutenant, in case of the public peace being endangered, than that this power should be left in the hands of individual Magistrates. He perfectly agreed with the hon. and learned member for Kerry, that if life were lost in the processions, those who took part in the processions ought deeply to lament it. He was averse to all displays of physical force in civil life. He did not impute bad motives to those who assembled in processions; but, when thousands of persons met in arms, they set a bad example to others who might not be so well disposed as themselves. The Legislature having removed all disabilities in Ireland, the object of all Irishmen ought to be, to put an end to those dissentions which the existence of unequal rights had been calculated to excite, and to place that country in the state of tranquillity from which alone private safety and public prosperity could flow.

Sir *Frederick Trench* was glad to find, that the hon. and learned member for Kerry was ready to assist in allaying agitation; and he was equally glad to find that the Government now thought that party processions were dangerous. Such had not been the case some months back, when Viscount Melbourne sanctioned an insulting procession of the trades in this metropolis. The Government had come in at the eleventh hour, and had opened its eyes to the dangers of such processions.

Sir *Robert Bateson*, from the communications he had received from the county he had the honour to represent, was prepared to say, that the irritating language with which this measure had been introduced, would produce a re-action amongst the Orangemen in that county, and it would not be possible for the Magistrates to prevent the processions on the ensuing anniversary. This arose from the insult which they felt had been levelled at them; and he ventured to say, that had not Government introduced this Bill, the Magistrates would much more easily have restrained the processions. It was, then, too much to charge his hon. friend, the member for Sligo, with the responsibility of the transactions of the 12th of July, when, that responsibility was created by the Government itself. In consequence of the hon. and learned member for Kerry saying he would use his powerful influence on the one side, he trusted the spirit of conciliation would prevail on the other, and that no collision would take place between any parties on the approaching 12th of July.

Mr. *Anthony Lefroy* said, if the right hon. Secretary failed in this, as he had in various other measures, the responsibility must rest with the right hon. Gentleman himself, and not with any party in the House.

PARLIAMENTARY REFORM—BILL FOR IRELAND—COMMITTEE—FOURTH DAY.] Question put "that the Speaker do leave the Chair."

Mr. *O'Connell* suggested, that as it had been agreed on the part of Government to introduce certain alterations into the registration clauses, it would be as well to have the Bill committed to-night, *pro formâ*, for the purpose of having the amendments printed, and with a view to take the whole, and he hoped conclusive, discussion, on Monday.

Mr. *Stanley* said, the alterations were neither so numerous nor material as to render it necessary to recommit the Bill; he, therefore, thought it better to proceed with the Committee.

House went into Committee.

The Chairman having put the question on that part of the 4th clause which renders the payment of Grand Jury and Municipal cesses, rates, and taxes, a condition of registration,

Mr. *O'Connell* rose to move, that the words requiring, that not more than half a-year's cess and taxes be due at the time of registration be omitted. Such assessments were frequently matter of dispute, and the provision would hold out to Corporations an additional inducement to spend other people's money, at the same time that it armed them with an oppressive power of enforcing excessive and arbitrary assessments. The Corporation of Cork, for example, spent 70,000*l.* a-year of the people's money, and they would be encouraged to double their expenses if this clause, indirectly enforcing the payment, were allowed to remain unaltered. The clause would actually place the people at the mercy of the Corporations. He should move the omission of the words rendering the payment of Grand Jury and Municipal assessments a necessary qualification for registration.

Mr. *Stanley* denied, that there existed sufficient grounds for the alteration proposed by the hon. and learned Member. The restrictions adopted in Ireland, with a view to prove the solvency of voters, were less than in England, and the obstacles to registration fewer. In fact, in Ireland it was not necessary, as in England, that the person claiming to be registered, should have occupied his house more than a twelvemonth. In Ireland six months residence before the time of registration was all that was required, which was a great advantage.

Mr. *Lefroy* thought the hon. and learned Member's objection to the clause perfectly unfounded. He would rather propose as an amendment, to substitute twelve calender months for six, as in the English Bill.

Mr. *Crampton* said, the Irish voter stood in a more favourable situation than the English voter. He thought it by no means desirable to do away with this condition of registration; if it were abolished, they would have in many towns in Ireland, what would amount to Universal Suffrage. Corporations had no direct power of taxation: it was true they might obliquely tax through the instrumentality of Grand Juries, but to effect that, there must be a regular presentment, and fiat by a Judge, so that there existed sufficient obstacles against the abuses which the learned Member appeared to apprehend—add to which, the assessments were trifling in amount.

Mr. *O'Connell* was aware Corporations could not legally impose assessments; but means might be found to lay on rates illegally, and the non-payment of such illegal rates would prevent registration.

Mr. *Crampton* said, the words of the clause were, "cesses, rates, and taxes, due and payable," and the plain meaning of the expressions was "legally due."

Mr. *O'Connell* was satisfied to let the clause stand, if the word "legally" were introduced.

Agreed to, and the clause amended accordingly.

Mr. *Shaw* wished to introduce the word "rent" into the clause, with a view to render the payment of rent a condition of registration.

Mr. *Sheil* moved, that the words after the word "all" in the clause be omitted. His object, he said, was, to guard against useless litigation, and prevent bribery, by letting the 10*l.* voters exercise their franchise, independent of the fact of their having paid municipal taxes. By the clause as it stood, they could not vote, unless they proved that they had paid "all municipal taxes;" and unless those taxes be specified, there would be no end to the disputes as to the taxes which were or were not municipal; and in the smaller boroughs Dungarvan, for example, with its 167 voters, there would be great temptations to bribery on the part of the candidate.

Mr. *Crampton* said, no difficulty was imposed on the Irish voter which was not imposed on the English voter. The proof of having paid the municipal taxes would be the same in both cases. He should oppose the Amendment.

The Committee divided on the Amendment:—Ayes 21; Noes 59—Majority 38.

Clause agreed to.

List of the AYES.

Blackney, W.
Browne, D.
Chapman, M. L.
Godson, R.
Grattan, H.
Grattan, J.
Hume, J.
Hunt, H.
Hort, Sir J. W.
Jephson, C. D. O.
Leader, N. P.
Mullins, F. W.
O'Connell, D.
O'Connor, Don
O'Ferrall, R. M.
Parnell, Sir H.
Ruthven, E. S.
Tomes, J.
Walker, C. A.
Wallace, T.
Warburton, H.

TELLER

Sheil, R. L.

On the fifth clause being read,

Mr. *Dawson* moved, that persons possessing freeholds of 40*s.* in boroughs, and in cities that were counties of towns, should not have the liberty of voting as freeholders for the counties in which those towns and cities were situated. This alteration would but slightly affect any towns that were not counties of themselves, except those of Dungarvan and Mallow. The injustice, therefore, if there was any in the proposition, would be but small, while he thought it would be an act of justice to the counties, and would be but a fair set-off to the disfranchisement which had taken place with regard to non-resident voters in boroughs. If these voters were not disfranchised, he could tell the House, that fictitious votes would be easily created for the purposes of county elections. An instance of this was to be found in the town of Galway, where by one lease there were 200 freehold tenants created. The lease was a lease of what was stated to be 200 acres of ground, but it was so rocky and so stony, that when one of these 200 persons was asked if he thought his share was fairly worth 40*s.* a-year, he said, he believed that his share of ground that could be applied to tillage, would not be sufficient to form him a grave. There was another instance of the creation of fictitious freeholders in the same place, where Mr. Blake had, by a joint lease, created a number of tenants of some land of his, adjoining his residence, and had registered these tenants as freeholders. Of course there was not one of these persons who would not vote exactly as Mr. Blake might desire. In this manner there were no less than 921 persons in Galway who were what he might call fictitious freeholders. The whole constituency there was not more than 1,600, composed of 40*s.* freeholders and 10*l.* householders. From this statement it was plain that nomination boroughs were not entirely destroyed. If the hon. member for Mayo pleased—and he was sure the hon. Member would not please to do so—but if he did, he might make Galway as close a nomination borough as ever Old Sarum or Gatton had been; and yet, at this moment, Galway was about to receive the privilege of returning two Members to Parliament. Under these circumstances he should move, that the end of clause 5, by which the 40*s.* freeholders in towns were to have the right of voting in counties, should be omitted.

Mr. *Spring Rice* said, he should oppose the proposition. He believed, that instead of the system being what the right hon. Gentleman had represented it to be, those instances which he had quoted were —if the right hon. Gentleman was not misinformed as to them; instances of abuse and exceptions to the system. If the right hon. Gentleman sought to get rid of the possibility of these abuses, and would propose a clause to destroy these votes if they were created, or to take away all the means of creating them, he (Mr. Rice) should most heartily support the proposition. He believed, however, that even that would be unnecessary; for there had been a Bill passed by an hon. friend of his, some years since, by which such a creation of votes was rendered illegal; and if a clear case of that sort were brought before him, he should know how to deal with it. The abolition of 40*s.* freeholders in counties had been the condition of granting Catholic Emancipation, and it ought not to be forgotten, that if this measure were extended to towns, it would abolish 1,000 electors in Cork, and more than 900 in Galway. The whole principle of the Bill before the House was to save existing rights, whereas the Amendment had for its object to destroy them. He congratulated the right hon. Gentleman (Mr. Dawson) on the strong and sudden horror he felt at the existence of nomination boroughs.

Mr. *Dawson* begged to remind his hon. friend, that he had given up the rotten borough system ever since the first introduction of the Reform Bill.

Mr. *Dominick Browne* concurred in all the observations which had been made by the right hon. member for Harwich (Mr. Dawson), respecting the unsoundness of the constituency of the town of Galway. He was sorry to say, that the independent electors of that town were swamped by the lowest rabble that existed on the face of the earth: but it was but fair to state, that these fictitious votes had been created as a balance to the non-resident freemen. As the franchise of the non-resident freemen was now taken away, he thought it high time to exclude the 40*s.* freeholders in towns from the right of voting.

Mr. *Dawson* expressed his willingness to withdraw the Amendment provided some provision was introduced into the Bill for the purpose of guarding against the creation of fictitious votes.

Mr. *O'Connell* did not consider such a clause necessary, because the Bill expressly declared, that only those legally entitled could vote. In Galway he knew the grossest frauds were practised, but he thought they might be put down by extending the Act introduced by the hon. member for Mayo to towns as well as counties. He was as much against fictitious votes as any man, and was ready to support any motion which would do away with them without injuring the *bona fide* voter. No one could complain of the 40*s.* freeholder in many parts of Ireland. The hon. member for Limerick knew, that many of them refused 5*l.* each, which they could have received from another, and voted for him without any remuneration.

Mr. *Stanley* thought it desirable to make a broad distinction between *bona fide* and fictitious voters; but he did not well see how the distinction was to be drawn. He had, therefore, thought it preferable to incur the inconvenience of allowing even fictitious voters to exercise the elective franchise during the lives of the present possessors, than to run the risk of taking away the right from *bona fide* proprietors. Still, if any provision should be proposed with the view of drawing a distinction between these two kinds of voters, he should be most happy to give it his fullest attention.

Sir *John Bourke* would be glad to see the whole of the 40*s.* freeholders registered anew; and he thought, that after what had passed in that House, Magistrates would be upon their guard against permitting the registration of fictitious votes.

Mr. *Lefroy* was in favour of the Amendment. It had been so amply proved by the hon. member for Kerry, and other Gentlemen, that the 40*s.* freeholders could not be independent, that he thought it was as gross an abuse to preserve them in towns as in counties.

Mr. *Dawson* said, that after the proofs that had been adduced of the fictitiousness of the votes in question, he felt persuaded that the right hon. Secretary could not fairly object to giving those freeholders the opportunity of proving their competency to exercise the elective right.

Mr. *Stanley* was of opinion, that the manner in which the clause had been framed was sufficient to prevent the abuses anticipated by the right hon. Gentleman.

Mr. *Dawson* would withdraw his Motion; but hoped that the Solicitor General for Ireland would take the subject into consideration.

Amendment withdrawn—Clause agreed to.

House resumed, Committee to sit again.

LOAN TO WEST-INDIA COLONISTS.] Lord *Althorp* then adverted to the circumstance, that he had given notice that, in a Committee of Supply, he should submit a Resolution respecting the losses lately sustained by the West-India proprietors. It was rather irregular that he should have given that notice with reference to a Committee of Supply. He should have given the notice to move the Resolution in a Committee of the whole House; but as the difference was merely formal, he trusted that no objection would now be made to proceeding with his proposition. The object of the Resolution was, to afford relief to those who had suffered from the insurrection and the hurricanes in Jamaica, Barbadoes, St. Vincent, and St. Lucia.

Question put, that the House do resolve itself into a Committee of the whole House.

Mr. *Herries* said, he wished to know from the noble Lord opposite, what course his Majesty's Government intended to pursue with respect to the Russian-Dutch Loan?

Lord *Althorp* replied, that he was not prepared to give an answer to the question; but of this the right hon. Gentleman and the House might rest assured, that nothing would be done on the subject without due notice.

The House resolved itself into a Committee.

Lord *Althorp* did not think it would be necessary for him to trouble the House at any length on the Motion he was about to submit. The House was aware that property to a considerable amount had been destroyed at Jamaica during the late insurrection; and that the hurricane which had visited the Islands of Barbadoes, St. Vincent, and St. Lucia, had produced most destructive consequences. The sum of 100,000*l.* had already been voted to the sufferers by the hurricane, and, when moving that grant, he had stated that it would only afford partial relief, and that Government might probably deem it necessary to call on the House to vote a further sum, to be granted by way of loan. From what occurred on this subject on a former occasion, he did not think that there would be any opposition to the vote he was about to propose, so far as it went to relieve the sufferers by the hurricane; but he apprehended that there might be some objection with respect to the vote for the relief of those whose property was destroyed by the insurrection of Jamaica. That was a calamity which could not be considered as a dispensation of Providence, but was an act arising from the wickedness of man, and, therefore, stood upon ground different from the vote he had formerly proposed. A vote for the relief of those whose property was destroyed during the insurrection, however, was not entirely novel. There was a precedent in 1795, when the Government of that day came forward with a proposition similar to that which he was now about to submit. It might be thought by some persons, that the colonists were not wholly blameless in what had taken place in Jamaica; but, upon a calm review of the whole of the transactions, he thought it would be difficult for any man to believe, that the insurrection had occurred in consequence of any intentional misconduct on the part of the colonists. If there had been any fault, it amounted to no more than unintentional indiscretion, which certainly would not justify the House in withholding relief in their present situation. He did not now propose any grant of money to the colonists, but merely a loan (to be raised by the issue of Exchequer-bills), the repayment of which would be secured by mortgages upon the properties of the persons to whom the money was advanced. Without going into any details as to the mode in which it was proposed to distribute the loan, he might shortly state, that it was intended to appoint a Commission to ascertain who the persons were that ought to receive assistance, and to consider the nature and value of the security they had to offer. When loans had been made upon similar occasions, he believed that the public had not suffered, and he had great confidence, from the arrangements which would be made on this occasion, that no part of the loan would be eventually lost to the public. The amount which it was now proposed to advance was 1,000,000*l.*, to be divided between Jamaica and the other islands. With respect to Jamaica, it was only intended to enable parties to re-erect those buildings which had been destroyed during the insurrection, and which were necessary for carrying on the business of the colony. The loss of the buildings destroyed in Jamaica had been estimated at above 830,000*l.* It was proposed, therefore, that half the loan, or 500,000*l.*, should be advanced to Jamaica, and this proportion had been resolved upon, after taking into consideration, that a sum of 100,000*l.* had already been granted to the sufferers in the other islands. The noble Lord concluded by moving a Resolution, to the effect, that it was the opinion of the Committee, that his Majesty should be enabled to direct that Exchequer-bills should be issued to an amount not exceeding 1,000,000*l.*; to be applied, by way of loan, upon due security for the repayment thereof, to persons connected with the islands of Jamaica, Barbadoes, St. Vincent, and St. Lucia, in consequence of the losses they had suffered by the Insurrection in Jamaica, and the hurricane which had visited the other islands.

Mr. *Baring* said, in the present state of West-India property, great caution would be requisite about the securities to be given for the proposed loan to prevent the transaction being rendered the subject of jobbing.

Mr. *Hume* said, that the public were entitled to have a secondary security upon the property which the colonists had in this country. He was satisfied that, unless different measures were adopted with respect to the West-India colonies, they would soon not be worth the 1,000,000*l.* which it was proposed to advance to them. He felt a great objection to lending the public money without obtaining the best security.

Mr. Alderman *Thompson* had at all times been of opinion, that the prosperity of the colonies in the West Indies was intimately connected with the prosperity of the mother country; and he, therefore, looked with pleasure at the intention of the Government to do something to relieve the planters in their present state of distress. He feared, however, that the grant would prove very inadequate to the objects in view, and that great impediments would lie in the way of the benefits expected from the claims of prior mortgagees. It was important to know if the Government proposed that their advances, as mortgagees, should be preferred to all others?

Lord *Althorp*, in reply to the question of the worthy Alderman, said, that the Government certainly intended their advances to be repaid in preference to all others; and he apprehended, indeed, that none would apply for any portion of the loan who had not obtained the consent of the other mortgagees to postpone their claims.

Mr. *Hunt* said, the people of Bristol had as valid a claim to have their losses made good as the West-Indians had; and he thought they could offer much better security. The grant, he admitted, was one of benevolence and justice; but still he thought that money should not be voted for such purposes, unless the people at home were to have their claims considered in the same manner.

Mr. *Warburton* did not object to the Motion, but he reserved his observations on the policy of the grant until the Bill was before the House.

Lord *Sandon* could not allow the Resolution to pass without expressing his gratitude to the Government for the boon they had conferred on the West Indies. The interests of the colonies were the interests of the mother country, and the people of Liverpool were as much benefitted by the prosperity of the West Indies, as the West-Indians themselves. He trusted, however, that the grant thus made with so much readiness and kindness to the colonists, would have the effect of engendering better feelings, and that both parties would henceforward regard each other as engaged in the preservation of the national welfare, and on the production of reciprocal advantages.

Mr. *Burge* also felt gratitude to the Government for this advance to the colonies in the hour of necessity. With regard to the doubts expressed by an hon. Member, of the power of Jamaica to return the 500,000*l.* which was to be its portion of the loan, he would only refer to the account of the imports from that island, which showed that more than a fifth of the sugar, and more than a half of the rum brought into this country were the produce of that island, while out of 43,000,000*l.* pounds of coffee received from all the world, Jamaica produced 16,000,000. Of the whole of the exports to the colonies, amounting to 5,000,000*l.* and odd, 2,908,533*l.* official value went to Jamaica, and, therefore, some idea might be formed of its importance to the mother country. He feared, however, that the grant would afford only partial relief; although he was grateful for even that, in the present condition of the planters.

Dr. *Lushington* could not consent to vote so large a sum of money, without some evidence being laid on the Table with respect to the necessity of the case, and the merits of the claimants. All he knew was, that the West-Indian Legislative assemblies had declared, that the whole of the mischief proceeded from the arbitrary and unconstitutional character of the proceedings of the Government; and he wished now to know, if the noble Lord intended the present grant of money to be an answer to the charge thus brought against him and the Government? He did not mean to say, that the West Indians had entered on that course which ended in the burning of their property, with a wish that it should be so destroyed; but this he would say, that they had been repeatedly warned of the consequences of the career they were pursuing; and as they had not taken the warning, he was not prepared to grant money to repair their losses, unless they pledged themselves to adopt such a course as would prevent a recurrence of a similar catastrophe. Supposing a new rebellion broke out, and that it was attended with similar results, were the Government prepared to move for a new grant for losses sustained through the obstinacy of the West-Indians, in placing themselves in opposition to the wishes of the Legislature. He did not mean to divide the Committee on the Motion, but he gave the money with reluctance, and entered his protest against the vote.

Colonel *Davies* said, that the greater portion of the West-Indian estates were so deeply mortgaged, that the present grant could only bolster them up for a short time, and the distress would then be as great as ever. The planters could give no security for the money, or security of such a nature as to render it necessary for the Government to examine very strictly into its sufficiency, if their intentions were ever to enforce the repayment of the loan.

Mr. *Godson* regretted to hear from the hon. and learned member for Ilchester, language which was calculated to irritate the minds of all parties concerned in the West-India colonies. He considered the loan to be nothing more than the repayment to the planters of a portion of the property of which they had been, for the space of fifteen years, annually robbed: for in no other light could he look upon the breach of faith with respect to the non-reduction of the war-duties on their produce. Those planters had been contributors to the State of no less than 5,000,000*l.* annually for a long series of years, and now the country would fain turn round and refuse them an assistance of 500,000*l.*, to keep, not only the planter, but his slaves, from starving.

Mr. *Fowell Buxton* concurred entirely in the observations which had fallen from the hon. member for Bridport. He could not go into the question of this loan at present; but he trusted his forbearance would not preclude him from expressing his opinions at a future and more suitable opportunity.

Sir *James Scarlett* said, that the resolution was calculated to conciliate the minds of the colonists, and to remove their painful impression, that the present Government was hostile to their interests—an impression which he believed was unfounded, as it was impossible any Government could entertain such sentiments towards so important a branch of the foreign possessions of the kingdom under their control.

Mr. *Burge* would not be provoked, by any thing which had fallen from the hon. and learned member for Ilchester, to utter a single syllable which should savour of any thing but gratitude to Government, for the timely aid it had determined to afford to these valuable colonies of the British empire.

Mr. *Fowell Buxton* wished to know, whether this sum of money was intended to be applied to make good the whole of the property destroyed on that occasion; for, if so, there were no more flagrant instances of wanton aggression and destruction of property, than those of the whites upon the property and chapels of those innocent, amiable, and virtuous men, the Missionaries.

Lord *Althorp* agreed with the last speaker, that the outrages committed on the meeting-houses of the Missionaries were wanton, destructive, and disgraceful. A strong representation had been made by this Government to the colonial legislature of Jamaica, as to the immediate necessity of making compensation to the full amount of the injuries these meritorious parties had sustained. What attention might be paid to that recommendation, he was not prepared to say, but if it should be neglected, it would remain with Government to see that justice was done between the parties.

Resolution agreed to—The House resumed.

SUPPLY — NAVY ESTIMATES.] On the motion of Sir James Graham, the House went into a Committee of Supply.

Sir James Graham moved the following Resolutions which were agreed to:—

52,000*l.* for defraying the charges for new works at Crenmill:

60,000*l.* for defraying the charges for new works for the Victualling Department:

42,269*l.* for the salaries of officers and expenses of the Admiralty Office.

On moving 45,635*l.* for salaries and contingent expenses of the Navy Office, Mr. *Hume* complained of the appointment of an officer (Captain Symonds) to be Surveyor of the Navy, when there were pupils who had been educated at the School of Naval Architecture, at a considerable expense, who were passed over. It was naturally a subject of great regret to these young men, that, after sixteen years' service, the door of promotion was shut against them.

Sir *James Graham* said, that what had fallen from him on a former occasion, in reference to this matter, had been misunderstood. These gentlemen were, under the Order in Council, eligible to the various offices connected with the navy, such as Master Shipwright, Shipwright's Assistant, and other situations; and there was scarcely any one of them at present who did not hold some office of trust. All he had to say now was, to repeat what he had stated on a former occasion, that there was not one of those gentlemen at present who was sufficiently qualified, from length of service, to fill the office of Surveyor to the Navy.

Sir *Byam Martin* said, that in his opinion, Captain Symonds was altogether unfit for the situation of Surveyor of the Navy, to which he had been appointed by the right hon. Baronet.

Sir *James Graham* said, that in appointing Captain Symonds to that office, he had acted in accordance with the best naval advice, and he was persuaded that he was more competent than any other gentleman that could be selected to fill it. He was satisfied too, that when he met the gallant Admiral to discuss the next naval Estimates, the gallant Admiral would be of his opinion.

Sir *George Cockburn* said, that there was not a better officer in existence than Captain Symonds, but he was not convinced that a practical seaman was the best sort of person to make Surveyor of the Navy. Sir Robert Seppings, whom Captain Symonds had displaced, was a most distinguished shipwright, and had rendered the most valuable services to his country. It was quite unnecessary to displace such a man to make room for Captain Symonds.

Sir *George Warrender* concurred in the praise bestowed on the services of Sir Robert Seppings, and said, that, without criticising the appointment of Captain Symonds, he had heard with regret and surprise, the right hon. Baronet state, that there was not one of the gentlemen in the School of Naval Architecture qualified to fill that situation.

Lord *Ingestre* said, that the appointment of Captain Symonds was a slur upon a body of gentlemen, every one of whom he could state, from his own knowledge, was competent to fill any of the civil appointments connected with the navy.

Vote agreed to — The House resumed.

HOUSE OF LORDS,

Monday, July 2, 1832.

MINUTES.] Petitions presented. By Earl GOWER, from Pickering;—by Earl GREY, from Arundel; and by the Earl of SHAFTESBURY, from Helensburgh,—for changing the Polling Places under the Reform Bill.—By the Earl of RADNOR, from Manchester, in favour of the Factories Regulation Bill.—By the Earl of HADDINGTON, from East Lothian, against the manner of dealing with Superiorities under the Scotch Reform Bill.—By Earl GREY, from Glasgow, in favour of Schedule E of that Bill.—By Lord KING, from Hamilton, against the Qualification Clause of the Reform Bill (Scotland).—By Earl GREY, from St. Michael's and St. John's, Dublin;—by Lord HOLLAND, from Liverpool and another Place;—by Lord SUFFIELD, from Salford; and by the LORD CHANCELLOR, from Dunfermline,—in favour of the Ministerial Plan of Education (Ireland).—By the Marquess of WATERFORD, from Camus Juxta Mourne, and Ardstraw, against that Plan.—By the Duke of PORTLAND, from Kilmarnock, for an Alteration in the Scotch Reform Bill.—By the Marquess of HEADFORT, from Ennis-Keen and King's Court, for the Abolition of Tithes and Church Cess.—By the Marquess of LANSDOWN, from Walsall and Wolverhampton, for substituting Walsall for Lichfield as a Polling Place for the Southern Division of the County of Stafford.

SLAVERY IN THE COLONIES.] Lord *Suffield* presented a Petition for the immediate Abolition of Slavery, which he thought well worthy of their attention. This petition was seventy-six yards in length, and signed by 14,600 persons. When he reminded their Lordships that a petition on the same subject was presented by the Lord Chancellor, some time back, signed by 135,000 persons, they must see that the people of this country were determined to wipe away from themselves the reproach of encouraging the continuance of slavery. As a proof of the strong interest taken by the public in this subject, he would mention, that the signatures to that and similar petitions, amounted to no less than 163,815. The petition which he had to present protested most strongly against further inquiry or delay, and called for the immediate abolition of slavery throughout the British colonies. He had for a long time past thought that no beneficial result would arise from inquiry, and he still retained that opinion; and he took that opportunity to state his concurrence in the views of the petitioners. He was not allowed to speak of what had taken place in the Committee on this subject, of which he was a member, but he might state what had not taken place; and certainly, nothing had taken place there which had made the slightest change in his opinion. He objected much to this system of secresy. But a few nights back he was called to order for alluding to the evidence given before the Committee. He was an advocate for publicity in all inquiries affecting the public interests. He conceived he had a right to complain of the conduct of Government, in recommending a grant to the West-Indian proprietors, which would be construed as an encouragement to slavery, and as a sanction to the censure which the colonial government, had cast upon the Government at home, for interfering even to mitigate the horrors of slavery. If his Majesty's Ministers were aware of the strong feeling which existed on this point throughout the country, he did not think they would have ventured on such a step on the eve of a general election.

Petition to lie on the Table.

The noble Lord also presented petitions from Leicester, Ilchester, Bromsgrove, Bath, and other places, to the same effect.

Viscount *Goderich* understood that his noble friend had strong objections to the grant of a loan of money to persons in Jamaica whose property had been injured, he would not say destroyed, by the recent insurrection of slaves in that country. He begged to remind his noble friend, that it was not a gift, but a loan, by way of temporary relief from the pressure of those very great distresses which prevailed in that country, in consequence of the disorders which had taken place; it was, therefore, as it were, lending them the credit of Government, and not making them an absolute gift. Whatever might be the feelings entertained by the country on this subject, he thought it was the duty of his Majesty's Government to keep out of view those strong feelings by which the different parties were influenced. His Majesty's Government felt that a very important interest, connected in various ways with other important interests of the country, had suffered serious losses in consequence of certain unhappy events, and that it would be for the benefit of the country generally to assist that interest during its temporary distresses. His noble friend expressed his surprise that the Government should have taken a step, which he considered a very unpopular one, on the eve of a general election; he could only say, that in taking the course they had thought proper to adopt, they were actuated by no other motives than a conscientious conviction that they were doing that by which not only a particular interest, but the general interests, would be materially promoted.

Lord *Suffield* said, he did not imagine it to be a free gift: he was aware that it was nominally a loan; but the proposed security was so very imperfect, that it might fairly be considered as a donation.

Ministerial Plan of Education (Ireland).] Lord *Plunkett* presented a Petition from the Ministers and Elders of the South Presbytery, Dublin, and other persons connected therewith, in favour of the Ministerial Plan of Education (Ireland). The petition was signed by men of rank, fortune, and intelligence; it breathed the most pious and Christian sentiments, and he wished, therefore, that it should be read at length. It gave him much satisfaction to be enabled to inform their Lordships, that, from the accounts which he had lately received from various quarters in Ireland on this subject, he could state, that the opposition which had been made to the national system of education, now about being established in that country, had signally failed. These accounts enabled him to state to their Lordships, that already there had been upwards of 600 applications received and attended to, by the new Board of Education in Dublin, for assistance towards the maintenance of schools in different parts of Ireland; that a great number of those applications were signed by Protestant clergymen; that a still greater number came from schools under the management of Roman Catholics, and that several of them were made by Protestant laymen; and that the number of individuals now in the course of receiving the benefits of education in those schools, in consequence of the establishment of this new system, amounted to 120,000 persons. It appeared, therefore, that the number of persons in whose behalf applications had been made, and who were now receiving the benefits of this new national system of education, amounted, in the course of six months, to more than for a similar number of years were being educated under the old system of the Kildare-street Society. He had received a letter on this subject from a most respectable gentleman, and a member of the new Board of Education, the reverend Mr. Carlisle, a Dissenting Protestant minister, which, with their Lordships' permission, he would read to the House. The noble Lord then proceeded to read the reverend gentleman's letter, which commenced by congratulating him on the success of the new system, and went on to state, that applications were pouring in to the Board from various schools for assistance; and that the greatest number of them came from schools which were under the management of Roman Catholics. [*Some noble Lords on the Opposition benches, and especially the Earl of Roden, cried "hear hear," on that statement being made.*] The noble Lord proceeded to say, that that was the circumstance of all others at which he was most particularly rejoiced—he was rejoiced to find, that the greatest number of applications came from Roman Catholic schools. Why did he say he was rejoiced at the circumstance? Because the system was intended to be a national one, diffusing to the mass of the Irish nation the invaluable blessings of a sound and wholesome education; and though the fact might provoke the sneer of the noble Earl (the Earl of Roden), he was sincerely rejoiced to find, that those who constituted in numbers more than three-fourths of that nation, were ready to participate in the benefits which such a system held out to them. The noble Lord opposite seemed to triumph in the idea that there had been no applications from Protestant clergymen; but, though his (Lord Plunkett's) reverend correspondent stated that the great majority of the applications were from schools under the management of Roman Catholics, he also stated, that there were many applications made by Protestant laymen, and by Protestant clergymen, too. The noble Lord then proceeded with the reading of the letter of the reverend Mr. Carlisle. The reverend gentleman stated, that though the great majority of the applications hitherto received by the Board, were from schools under the management of Roman Catholics, yet that they had received several from schools under the management of Protestants, and that such applications were rapidly increasing, especially in the province of Ulster. The opposition to the new system in Ulster, the reverend gentleman stated, was manifestly giving way; its origin there he assigned mainly to political motives, for the Orangemen, he observed, took the principal lead in it, and after enumerating a variety of facts to show that the new system was making its way steadily and triumphantly, he concluded by congratulating the noble Lord to whom this letter was addressed (Lord Plunkett), on the certain and not distant success of a project, which had for its object the education upon rational, sound, and liberal principles of an entire people. The facts stated in that letter, the noble Lord proceeded to say, afforded a proof that he was justified in congratulating their Lordships on the success which had already attended this great national experiment, despite of the various artifices and disgraceful manœuvres which had been resorted to for the purpose of thwarting, and, if possible, of defeating, the enlightened object which it had in view. He would just state to their Lordships a circumstance illustrative of the arts which had been resorted to, and, he was rejoiced to add, unsuccessfully resorted to, for that purpose. He believed that a petition had been lately presented to that House from the parish of Ballinrobe, in Connaught, against the new system of education in Ireland. A communication had since been made to him on the subject, which he apprehended their Lordships would agree with him in thinking, fully justified him in stating, that the most strange and unworthy artifices had been resorted to for the purpose of procuring petitions against this system. The communication to which he alluded was from Dean Burgh, the Protestant Rector of the parish of Ballinrobe That reverend gentleman stated to him, that he was himself one of those who had signed an application to the new Board of Education, for assistance for a school in the parish of Ballinrobe, and that, to his great surprise, he saw it lately mentioned in the public papers, that a petition from that parish against the new system of education in Ireland, had been presented to the House of Lords. He further stated, that not a word had been communicated to him on the subject of the getting up of the petition in question, though he was the Rector of the parish, and though the parish school, which was under his control, had applied for assistance to the Board of Education; that he knew nothing of the meeting at which it was said to have been adopted; that the officers of the parish knew nothing of it, and that, upon inquiry amongst his parishioners, he found that a number of the Protestants in the parish signed the petition without knowing the meaning of it; that they told him that they did not know it was against the parish school receiving aid from the new Board, and he mentioned a curious fact, to show that such was the case, namely, that a great number of the children of those petitioners were, at the time they signed the petition, and up to this moment, attending the school in question, and thus participating in the benefits of that system against which the petition was directed. He further stated, that they informed him, that they signed the petition because they were told that the Bible was going to be taken away from them. That was a sample of the tricks and artifices which had been resorted to, for the purpose of deluding and cajoling the Protestant population of Ireland, and of inducing them to oppose a system of education which was fraught with the greatest national benefits. He understood also from the same authority, that one of the persons who had signed this petition, an Orangeman, said, that he did so because he was told that a certain nobleman had promised, as a reward for those who did so, to pay the expense of their passage to America [“*name, name*”]. He would not state the name of the individual who was represented as having made such a promise.

The Marquess of *Westmeath* interrupted the noble Lord, and asked, whether it would not then be well to proceed to the Order of the Day?

Lord *Plunkett* said, he would present the petition, and he felt it his duty to press the reading of it at length.

Question put, that the Petition be read.

The Earl of Wicklow rose.

Lord *Holland* thought the noble Earl should, according to the usages of the House, allow the petition to be read.

The Earl of *Wicklow* said, he should then make but one observation. He was exceedingly happy to find that the noble Lord was so well satisfied with the result of the Ministerial plan. Instead of 600 schools, his only wonder was that there were not 6,000. For his own part, he should not be surprised if every priest, every schoolmaster —

The Marquess of *Lansdown* rose to order. The noble Lord was out of order unless he was speaking to matter of motion.

Lord *Kenyon:* He is.

The Marquess of *Clanricarde* said, that it was a point of order of considerable importance, and ought to be decided. During his short experience in Parliament, it had been usual to read petitions in the first instance, and then the debate upon them followed as a matter of course.

The Earl of *Wicklow:* Then let it be read.

Lord *Holland* said, according to the known and established rules and orders of the House, it was utterly incompetent to any Peer to object to the reading of a petition presented by another Peer; and if he had no right to object to the reading, he had no right to speak to that point. Every Peer had a right to have his petition read. When a noble Lord presented a petition, he opened the matter of it; then if it appeared, upon that statement, that it contained matter which rendered it unfit to be received, the usual way was, for the Peer who presented it to withdraw it. But, unless it was objected to in that statement, he had a right to have the petition read without any question.

The Marquess of *Lansdown:* Unless my noble friend who presented the petition had a right to have it read without question, then all the noble and learned Lords who ever sat on the Woolsack, and also the Journals of the House, were wrong. The entries in the Journals on petitions always were in this form; “On reading the petition, it was moved,” &c., implying that there was no question as to the reading of the petition.

The Earl of *Eldon* had never, during the period when he sat on the Woolsack, put the question on reading a petition. But, when the noble and learned Lord Chancellor for Ireland had, in presenting a petition, stated so much extraneous matter, about what happened here, and what took place there, he was as much out of order as the noble Earl (Wicklow) behind him; and he, therefore, had no right to find fault with the noble Earl for being out of order, and introducing extraneous matter.

Lord *Plunkett* bowed with the greatest deference to what had been said by a person of so much experience as the noble and learned Earl who spoke last. But, at all events, it was admitted that it lay with him to propose that the petition be read, and to have it read, and it was fitting that it should be so; for, until the petition was read, it could not always be very well known what ought to be done with it. He had examined the petition, and stated the nature of it, and then it was for him to have it read, and then to move that it be laid on the Table, and on that question a discussion might, and often did, take place.

The Earl of *Wicklow* said, if he was irregular in what he had done, then the noble and learned Lord on the Woolsack had fallen into the same irregularity, for he had put the question on the reading of the petition.

The *Lord Chancellor:* It was so. He had most assuredly put that question, and it was possible that he might have fallen into an irregularity, from having been more conversant with the rules and orders of the House of Commons than with those of their Lordships' House. It was true that he was Speaker of their Lordships' House, but then he was in a very different situation in that respect, from the Speaker in the other House, for he had no more reason to know, nor power to enforce, order than any other Peer had. Certainly the orders of the two Houses were very different. A Member of the other House, before he brought in a bill, must move for and obtain leave to bring it in. In this House, every noble Lord had a right to present a bill without leave asked. In the other House, the question was put that the petition be read, and on that question debates often arose, which was the analogy which had misled him, if he had been misled. But, with all due deference to his noble friend (The Marquess of Lansdown), he did not think that the entries in the Journals were quite decisive, and it really appeared highly expedient that the House should have some protection against the reading of improper petitions, beyond the discretion of an individual Peer, for it might happen that a petition might contain matter which ought not to be read.

The Marquess of *Westmeath:* It would be much better to drop any further discussion on the subject at present.

The *Lord Chancellor:* It was really a point of considerable importance, and one which ought to be settled with due deliberation.

The Marquess of *Lansdown:* It was a privilege enjoyed by noble Lords to have their petitions read without question, and was analogous to the privilege which they had to bring in bills without leave.

The *Lord Chancellor:* Certainly there was a wide difference between the orders of the two Houses, but he still thought that the House ought to have some additional protection against the reading of improper petitions.

Lord *Holland:* The privilege was analogous to that which every Peer had, to bring in a bill without asking leave of the House, and as to that he would, with their Lordships' permission, mention an anecdote. In the year 1784, a noble Peer, in order to put to the test the right of any noble Lord to bring into the House any bill that he pleased, brought in a bill containing a caricature print of Mr. Fox and Lord North, and a question arose whether he had a right to introduce and lay on the Table a bill of that kind, and it was decided that he had. As to the first reading, he certainly thought that a question might be put on that, on which a discussion might take place, without any infringement of order. But any noble Lord had a right to present a bill, but whether the presenting implied laying on the Table, or delivering it to the Clerk, he could not precisely say.

The Petition read, and laid on the Table.

The Earl of *Roden* stated, that he had presented a Petition from certain Protestants of Ballinrobe, in Ireland, against the Ministerial Plan of Irish Education. To that petition the noble and learned Lord (the Lord Chancellor for Ireland) had alluded. The noble and learned Lord had alluded to the clergyman who had refused to petition against the system, and he was sorry to say, that he had refused, but then he stood alone. The curate, (Mr. Seymour), however, had got a petition, signed by Protestants of that place, against the system, and that petition he had presented. The noble and learned Lord had also alluded to a Peer, who had offered to pay certain expenses for some people, on condition that they would sign a petition against the new system of education, but the noble and learned Lord had refused to mention who that noble Lord was, and it appeared that he himself did not believe the statement to be true.

Lord *Plunkett:* He certainly did not believe that any noble Peer in that House would make such a promise, but it certainly did appear that such promises had been made.

The Archbishop of *Armagh* stated, that the Protestant clergy of the Establishment were generally adverse to the new system.

Lord *Plunkett:* There were several Protestant clergymen, and a very great number of Protestant laymen, well disposed towards the Ministerial system of Irish education, but many clergymen had refrained from publicly signifying their approbation of it, in consequence of charges from the Prelates against interfering. As to what had been said about his not being here to see the great number of petitions presented against the system, he was as likely to know the state of public opinion in Ireland, by residing in that country, as by his being in the House.

The Bishop of *Kilmore* did not know why any Prelate should charge his clergy against interfering, since the system itself was such as to make such a charge unnecessary. All the Protestant clergy of his diocess were opposed to the scheme.

The Marquess of *Londonderry* thought that the noble and learned Lord had but little confidence in the correctness of his own opinion, as to the approbation in which his system of education was generally held, since he refused to state the name of the noble Lord to whom he had alluded. But the noble and learned Lord had derived his statements from the reports at Dublin Castle, and that accounted for his error. He was not here to see the Table of their Lordships' House loaded with petitions against this new system. As to the information collected by the noble and learned Lord in Ireland, the noble and learned Lord knew as much when he set out for that country as he now did when he returned from it.

State of Ireland.] The Earl of *Roden* observed, that he had now to bring before their Lordships a most important subject, connected with the unhappy state of Ireland, which was at present almost overwhelmed with misery and crimes — a subject involving so many important considerations, which all came crowding on his mind, that he was somewhat at a loss how to proceed, so as to make the deepest impression on their Lordships' minds, and procure their sanction to the Motion with which he intended to conclude; and it might be convenient at the commencement to state, that he proposed to take the sense of the House on that Motion. In the course of the observations which he had to address to their Lordships, he should feel it his duty to refer to various documents, and in doing so, he was aware that he might appear to their Lordships to be tedious. But he assured them, that he had selected these documents with the greatest care, from a great mass of documents, connected with this most important subject; and he believed that their Lordships, when they heard those to which he meant more particularly to call their attention, would confess that they were such as were strongly illustrative of the state of Ireland, and well worthy of the most serious consideration. For he was of opinion, that the country never was at any period in greater danger, both as to its internal condition, and as to its connexion with his part of the British Empire. It would be idle in him to detain their Lordships by entering upon any detail of the former history of Ireland, and from former events trace those by which Ireland was at present agitated, nor would he allude to the former policy adopted in regard to Ireland. What he had to state related entirely to the present time, and to the course which had been pursued by his Majesty's Ministers. He thought he should be able to show, as clearly as the light was shining in on their Lordships, that the real interests of Ireland had been grossly neglected. Formerly, it was deemed necessary to appoint men of experience, firmness, and ability, to conduct the affairs of Ireland; and he lamented that such qualities were not to be found amongst those who were now at the head of the Government. He deeply lamented that they did not possess those qualities, which were necessary for relieving the country from the dilemma in which they had themselves placed it. He lamented that they were unable to grapple with those dangers, which, if not removed, would speedily destroy all hope of peace or prosperity for Ireland. In bringing forward this question, he was not actuated by any party motives, or party spirit. His only object was, to promote the best interests of Ireland, and the empire in general, by bringing under their Lordships' consideration a subject which imperatively called for their attention. His object was, to excite the attention of the people of this country to the state of Ireland, and to rouse the Ministers, if possible, from the lethargy into which they had sunk with regard to Ireland, and to call forth sympathy with the condition of Ireland in the minds of all the peaceable and well-disposed people of the empire, whether Protestant or Catholic. It was impossible for any man, unless he were blind, not to feel great anxiety, looking at what was taking place in Ireland, both for the present condition and future prospects of that country. He wished them to look to the wrongs, not only of the Protestant people of Ireland, but to the safety and security of the loyal people of every rank, description, and denomination. The daily occurrences which they saw taking place in that country—those scenes of organized movements amongst the people—that system of intimidation which existed to such a degree as to make the law a complete nonentity—the attacks unceasingly made on the houses of Protestants, for the purpose of plundering them of arms, which they kept for their own defence—all these circumstances formed a state of things which could not be contemplated without horror. This system of plunder was not only resorted to in the dead hour of the night, but even in the middle of the day, when the Protestants were attending Divine worship. Assassinations were continually taking place. Persons of the most inoffensive character, and who were the most valuable members of society, were murdered in the open day, in the presence of multitudes of individuals, who were so intimidated that they would not come forward to give evidence against the perpetrators of those crimes. All these circumstances proved that there was a disease, a foul disease, in the state of Ireland; and he greatly regretted that the Ministers who now governed that country had not taken the proper means to eradicate that disease. It was lamentable to think that an evil organization was extending every day, and that the Government had not taken any steps to meet or prevent it. He lamented that the old adage, that prevention was better than cure, did not form part of the stock of maxims of his Majesty's Ministers. If Ministers had taken steps at an early period to prevent this, and had not lent themselves to run down those who took an active part in opposing this system of organization, so much blood would not have been shed, nor would so many evils have come to pass. Such was the state of things, as his noble friends about him who, like him, resided in Ireland, could well corroborate, and would say that he had not overstated it. The resident gentry and Magistrates had done what they could to enforce the law—they had done everything which the law admitted, to prevent the occurrence of these shameful outrages. He said this because those gentlemen had been unjustly calumniated, and they had been pointed out as deficient in doing their duty. They never were deficient — they had always been ready fearlessly to stand in the gap, and uphold tranquillity and the laws, though they had been unable to accomplish their object. They had used every exertion in their power, and had applied to the Lord Lieutenant—he was speaking generally—but they had applied to the Lord Lieutenant, stating, that it was impossible for them to preserve the peace, or stop the progress of the combination, unless some measures were taken to uphold the law. Three counties had held meetings of the Magistrates, with the Lord-lieutenants of those counties at their head, as well as other bodies, such as the Grand Juries, who were unawed by intimidation, and represented the state of their several counties to the Lord Lieutenant. He would not trouble their Lordships with all those cases—he would select only one—that one which had been before their Lordships on a former occasion, when a petition was presented by a noble Duke, not then in his place, from the Magistrates of Queen's County. He would take one case alone, as an illustration of the whole, *hoc uno disce omnes*. Those who lived in the county had drawn attention to its condition. In 1828 there were partial displays of Ribbonism and Whiteboyism, and the county was in a disturbed state. In 1829 the Magistrates and gentry entered into subscriptions, and subscribed 600*l.*, to offer as rewards for apprehending the authors of these outrages. That had some effect; and, at the close of 1829, the county became more quiet and tranquil than it had previously been. In 1830 the county continued quiet for some time, till at a particular period, and all at once, the great object of the tithes attracted their attention, and declarations went forth amongst the people, that in three or four years they might get rid of tithes altogether. In propagating that doctrine, he would state fearlessly, that the Roman Catholic clergy had used a simultaneous energy. In this state of the proceedings, the Magistrates and gentry of the Queen's County called a public meeting on the 10th of June, 1831, and entered into various resolutions. They represented the state of the county, and resolved to apply to the Lord Lieutenant for permission to raise a Volunteer Armed Association, to embrace people of all denominations. A copy of these Resolutions were sent to the Secretary for Ireland, to Earl Grey, to the Marquess of Lansdown, and they were circulated all through the county. The project, however, of the Armed Association, had failed. Why? The Roman Catholic priesthood set their faces against it; no Roman Catholic could join the corps, and as it was determined not to have it an exclusive corps, it failed. The consequence was, that Whiteboy offences increased. The number of crimes committed between the 1st of June, 1831, and the month of September, 1832, was not less than 676 in one county. That was the effect of the excitement. In this case, what did the Magistrates do? They did their duty. On February 22, 1832, they held a general meeting at Maryborough, under the Lord-lieutenant of the county (Lord Vesci), and passed certain resolutions. These resolutions described the county as exposed to a general system of plunder; within the three preceding months, 133 houses having been broken into in the Queen's County, in search of arms; and from sixty-five houses, arms having been actually taken away. They described the existing law as inefficient to put down the dangerous combination which existed, and they requested the Lord-lieutenant of the county to represent the condition of the county to the Government, requesting that the immediate attention of the Legislature might be given to it, and measures taken to enforce the laws. They did not prescribe any particular measures as an effectual means of redress; they recommended, indeed, the Lord Lieutenant of Ireland to re-enact the Insurrection Act, which had already been found efficient to repress disorders. But his Excellency answered, that he was not disposed to recommend to the Government the renewal of the Insurrection Act, till other means of upholding the laws had been tried. In consequence of that answer, the Magistrates and Lord-lieutenant of the Queen's County felt it their duty to petition the Legislature, and the petition had been received, and was then lying on their Lordships' Table. He would not read that petition, which had been already read; he would only say, that it particularly called for such legislative measures as would restore and preserve order in the Queen's County, at the least expense to the farmers. To show further the state of this county, he would next state, that at the Lent Assizes, which were held on the 1st of March, there were 150 crimes to try. The Judge who tried them was well known for his humanity, and, if he had any fault, it was that of always leaning to the prisoner. This Judge, Baron Smith, had made an elaborate charge to the Jury, and he would show their Lordships, in the beautiful language of that Judge, what an impression those disorders had made on his mind. [The noble Lord then quoted the Judge's charge at considerable length; it enumerated the 150 crimes, of which fifty were great crimes—nine being murders or homicides, with five robberies, five burglaries, one arson, five employing threats, four abductions, and various other offences; and concluded by a caution against encouraging any kind of outrage and disorder; for, when it was checked in one line of proceeding, it was impossible to say how soon it would take some other. The Judge observed, that he saw more than an embryo of an *imperium in imperio*, which, if not checked, would ultimately subvert all order and peace in the county.] Nothing could show better than this charge the miserable state of society in Ireland. He knew that a Special Commission had been sent to the Queen's County, on which a noble Marquess had formerly congratulated their Lordships. He joined heartily in those congratulations, so far as they were deserved; he joined in them, so far as that Commission went to show that the Magistrates and Juries of the county were not to be deterred from doing their duty; for, out of thirty-eight persons who were tried, they found thirty-seven guilty. It was to be remembered that this was a Special Commission—that the Attorney General only selected those persons for trial whose guilt could be fully proved. He repeated, that he joined in the congratulations on the effects of that Special Commission—so far as it went to prove that the Magistrates and Juries would do their duty; but the further effects of that Special Commission were yet to be seen. The whole effects could only be ascertained after their Lordships should have passed that Tithe Bill to which the Ministers were pledged. He believed that the organization was the same—that all the materials for that organization were still there—that the ammunition was there, and that all the combustibles were still piled up, ready to be kindled by that adventurous hand which had before set Ireland in a blaze. He was sorry to say, that the moral effect of the Special Commission was likely to be materially injured by the way in which the public Press of a certain class had taken up the circumstances connected with that Commission. He did not know whether his Majesty's Government had had their attention called to the subject, but it appeared to him very important that they should take some steps, when the public Press, in so formal a manner, vilified that Commission, and uttered what he considered as great libels as could possibly be pronounced. He would refer to some statements in the *Comet* newspaper, which he believed was very favourable to the noble Earl and his Majesty's Government. [Lord *Plunkett* stated, that the *Comet* was under prosecution by the Government.] He was very glad to hear this from the noble Lord. The paper to which he referred said, that every one laughed at the mockery of justice, and that, for shame's sake, an adjournment of the Commission took place. It added, that the Commission had done more harm than good, and left the Queen's County in a worse state than that in which it found it. He had spoken of the organization and intimidation which defeated the ends of justice. The commencement of the present system was an opposition to tithes. But, although the meetings to oppose the tithe system began from small things, they had increased from day to day; and now (and this was a charge which he brought against the Government) persons took the chair at meetings held nominally on the subject of tithes, but really for other objects, who were in the Commission of the Peace; and, although the noble and learned Lord opposite was informed that these Justices of the Peace presided at meetings at which the greatest sedition was promulgated, and a system of opposition to all the established institutions of the country enforced, yet he, who was the ruler of the Magistracy in Ireland, suffered those persons to remain in the Commission of the Peace, until it was thought necessary to put out Captain Graham, a Protestant Magistrate, because he supported the law. This was the charge which he made against his Majesty's Government, and he supposed the noble and learned Lord would be prepared to make some statement on the subject, and to explain why he had allowed Magistrates to attend at meetings which were opposed to all order and good government. As to the question of tithes, he had so much important information of another nature to communicate to their Lordships, that he was desirous to waive that subject at present, and should only say, that he was convinced the majority of the clergy in Ireland, if any way could be found for their obtaining a subsistence, without coming into collision with the people, would infinitely prefer such a plan. But it was not to be borne that the Government should allow so respectable a body of men as the Protestant clergy of Ireland to be deprived of their just rights (for they still were their rights, as no law was yet passed to take them away from them), and some of them to be obliged to emigrate to America with their families, while others were at this moment in absolute want, and knew not where to look for subsistence. He did not exaggerate this statement; he knew the individuals, and could name them if any noble Lord doubted his statement. Whether any thing else than extinction was meant by the word extinction in the reports of that House, he could not say; but he knew that the Catholic priests and the people of Ireland very well understood the meaning of extinction, and took it for granted that, tithes being extinguished, they had no right to pay them. The tithe meetings were not merely for the purpose of preventing the collection of tithes, but were made the means and instruments of introducing other subjects most dangerous to the country; some of them going the length of proscribing the use of British manufactures, and determining that, happen what might, they would have a separation of the two countries. These meetings also formed an excellent drill, for drawing together immense multitudes of the people to one part of the country for any purpose, however trivial or foolish it might be, or however capable of disgusting those who heard of it. From the immense mass of information which he had before him, he should confine himself to what was necessary to put their Lordships in possession of the state of the country, and he would observe, that he knew the writers of the documents to which he should refer, and could name them to any noble Lord who might desire that satisfaction. The first piece of information to which he would refer, related to the northern parts of the county of Dublin, and the eastern parts of Meath—a part of the county which was formerly noted for its tranquillity and peaceful state—but that information might, without impropriety, be extended to the whole county. The writer stated, that the progress of agitation was remarkable—that a tithe meeting was fixed for every Sunday, in one or other parish—that the priests warned the people to attend, and members of the Political Union came from Dublin well selected, and very capable of inflaming the minds of the people, and a Reporter on the part of the Government—Mr. Elliston—attended; that the assembly was addressed by the demagogues in the most violent and inflammatory style — the Aristocracy reviled, the Government abused, and the law set at defiance—that the people were told they must not pay tithes, whether lay or ecclesiastical, or deal with any one who did; that if a farmer did so, his crops would be left uncut, and if a labourer, he should be turned out of employment; that this system had continued for three months, and the effect was, that, tithes were now no longer paid, because they were no longer asked for; and that, from the circumstance of a Government Reporter attending at the meetings, and no notice being taken of them, the general impression was, that the promoters of them had the Government on their side. That was the people's opinion who thought that the Government Reporter, would not attend unless the Government was favourable to them, and that encouraged them to proceed. Some of the clergy had been driven to America, and others wholly deprived of the means of subsistence. The noble Lord mentioned, on the authority of a communication which he read, the names of two clergymen—Mr. Dollen and Mr. Kearney—who had been obliged to abandon their preferments, and seek refuge in America. The noble Earl next referred to the people building towers in different places, and beacons, and setting fire to them as signals, as another proof of the extensive combination which existed. The noble Earl next referred to a letter from Hacket's-Town, which described the people as assembling in great multitudes at the sound of horns. The horns sounded at between eight and nine o'clock, and the people came together and built a tower; the horns sounded on the following night, and the people assembled and built other towers. A third time the horns sounded, and the people assembled, and shouted and yelled, so as to excite great alarm in the Protestants. Another system was adopted. Noble Lords might laugh; but it was a most serious and most important matter. For that system, if he did not see in it much to alarm him—if he could regard it as only one of the charms of the Romish Church—he should feel only pity and disgust. But it had a great political object in view; and that object, he believed, was to show how speedily the whole people might be united and directed to one common object. The noble Earl then quoted, from a communication which he had received from the county of Wicklow, a description of the people carrying about blazing turf, or burning straw, from house to house, which had taken place in various parts of Ireland at the same day and the same hour. That showed a secret power and influence somewhere. His Lordship also quoted communications from Dundalk and Down, to show that the carrying about the holy turf, or the blazing straw took place at the same day and hour in various parts of Ireland. That might be a farce to some of their Lordships, but he looked upon it as likely to terminate in a tragedy. The noble Lord next quoted a communication from Lord Farnham, describing the state of Cavan. There the people had been roused, and kept in agitation the whole night, by people passing through the town. He saw nothing in all this to joke about. He conceived it to be of great importance. There was a great combination of the people from one end of the country to the other. A communication from Dublin stated similar circumstances, and described the Government as lending its aid to those who were opposed to all our institutions. He came next to what he considered a point of very great importance—a point in which he was more interested than any other—he meant the state and condition of the Protestants. After alluding to the alarm and terror to which they were exposed, the noble Lord declared, that he believed the object was, to drive all the Protestants out of Ireland. That was the opinion of a correspondent the noble Lord referred to, who stated that the change was intended to get rid of the Protestants, and drive them all out of Ireland. He would read to their Lordships another letter, which brought the description of the state of things down to the present period. He had received yesterday morning from Middleton, in the county of Cork, a letter stating that on the 21st of June about 20,000 persons, men, women, and children, headed by Roman Catholic priests, approached the town on all sides. They carried tri-colored flags, a cap of liberty, and a green flag, bearing on one side a harp, and on the other a figure of Mr. O'Connell; there were also bands of music, which played *The White Cockade;* two coffins borne by the crowd, and having on them the inscriptions, "Tithes, Church rate, and Cess," were lowered into graves dug for them, whilst the priests uttered a mockery of the funeral service over them. The mob then desired a Roman Catholic Magistrate, who was a corn-factor, to come out and join them, threatening that if he did not they would no longer deal with him. This appeal induced the Magistrate to abandon his duty, and he came out, and made as seditious an harangue as the mob could have desired. The consequence was, that the excited populace proceeded to the church, where they broke the monument erected in honour of the late Archbishop of Cashel, cut down trees, and committed other depredations, uttering at the same time the most horrible menaces against Protestants. Another letter from the Queen's County, dated June 5th, stated, that the Protestant Dissenters had been insulted; that their stock had been thrown into the ditches; that they were prevented from obtaining provisions; and that when any one of them rode from home, a horn was sounded, and the people immediately attacked him with stones and pikes. A letter from the county of Clare stated that in parts of that county the Protestant inhabitants could get no provisions but what were brought under the escort of troops, and many of them had been compelled to give up their respective trades. At Rathangan, in the county of Westmeath, a Protestant was, on the 4th of June, murdered in open day, with circumstances of great cruelty; and although there were fifty witnesses to the transaction, it had been found impossible to bring it home to the offender—the law having become a perfect laughing stock. He was now extremely anxious to remind their Lordships of the declaration which had been made by the noble Earl opposite, soon after his accession to office—namely, that if he found the existing law in Ireland insufficient, he would come down to Parliament and propose other measures. He now called upon that noble Earl to redeem his pledge. He told him that the present laws were insufficient, and could not be executed. To that fact they had the testimony of Magistrates and resident gentry, who could have no sinister design. He solemnly, therefore, called upon the noble Earl, not with any party view, but simply with a view to the good of the country—he called upon the noble Earl, in the name of justice, in the name of humanity, in the name of the Protestants of Ireland, to give protection to those Protestants. He called upon the noble Earl to stop that conspiracy—for conspiracy it manifestly was—the object of which was, to chase away the Protestant people of Ireland, and make them exiles in a foreign land, seeking that protection from strangers which they ought to have received at home. The conspirators moved step by step—they did not attempt to grasp the whole of their object at once. But it was evident that their principal aim was the separation of the two countries. They had already proposed the dissolution of that Union which had lasted two-and-thirty years, and from which so many advantages had resulted. Notwithstanding, however, the miserable state in which Ireland then was—notwithstanding the alarming transactions to which he had been alluding, he still thought, that if there existed a Government which would take the measures that a Government ought, under such circumstances, to take, a remedy might be found for the evil. In the first place they ought to make the law respected, as it ought to be; they might then consider of abolishing or regulating the tithes. But the first object, he repeated, was to establish the power of the law. He really began to think, that his Majesty's Ministers were the dupes of the conspiracy which existed in Ireland against the Protestants; for a spirit of Jesuitism ran through all the measures which they adopted with reference to Ireland. Whether it was the Irish Reform Bill, or the Irish Education Bill, or the Irish Procession Bill, it mattered not; for the whole aim of those three bills seemed to be, to strangle the Protestant interest and banish the Protestant people from Ireland. The noble Lord said no.

What did the Irish Reform Bill do? Did it not deny to Protestants, on the plea put forth by the right hon. Chief Secretary, of a wish to get rid of party distinctions, the hereditary rights which it gave to others? Then, there was the Irish Education Bill. What was the first principle of Protestant education? That the whole Bible should be read in schools. That principle was abandoned, in order to meet the wishes of Catholics and demagogues. Lastly, there was the Processions' Bill. What was the *animus* of that bill? Did it not strike at the Protestants only? It was meant to put a stop to the Protestant processions in Ireland on the 12th of July. Such was candidly avowed to be its object. Yet, while this attempt was made to strike at the celebration of one of the most glorious events in our history, by which a Protestant Monarch was established on the throne of these realms, processions had been permitted in England, when formed by a National Union, of the most revolutionary character, and such as had experienced the reprobation of every well-thinking man. The Orangemen of Ireland had, on a former occasion, been described by some of the Ministers of the Crown as a miserable, bigoted and expiring faction. Were they acquainted with the body of which they thus presumed to speak? Did they know that the Orange lodges of Ireland consisted of above 300,000 loyal subjects, many of whom were individuals of the highest respectability? Was the use of such language the way to win the affections or allay the passions of such a body? For himself he was bound to speak of the Orangemen as a most valuable body, whose only objects were, to uphold the laws, and to preserve the monarchy. In the prosecution of those objects, the Protestants of Ireland had ever been foremost. But they had had the mortification of seeing the transgressor of the laws in Ireland praised by his Majesty's Ministers, because he was the great leader of the opposite party, and because they were desirous of winning him over. These were facts, and he defied any one to contradict them. This opposing those whom they ought to favour, and giving way to those whom they ought to oppose, was a wretched and destructive system. While that system was continued, so long would persecution—so long would agitation—so long would all the other evils by which Ireland was afflicted continue. He trusted, however, that the Protestants of Ireland, although they might again be tried, as they had heretofore been tried, would remain firm but temperate; always remembering the conservative principles, not giving offence to any one, but manfully defending their rights. He trusted that they would still continue united in their own defence—in the defence of the Government—and in the defence of the Protestant religion. They had ever been the nucleus of freedom in that country, and he hoped they would remain so. He would venture to say, that if their Lordships agreed to the unprotestantising and unprincipled measures proposed by his Majesty's Government, they would destroy the germ in which so many blessings had been preserved, and would establish oppression the most odious, and slavery the most hateful. He implored his Majesty's Government, therefore, to pause in their course. He implored them to consider who it was they were pushing away from them, when they upbraided and denounced those Protestants who had supported England, and that almost single-handed, throughout the mighty struggles in which she had been engaged. He apologised for having detained their Lordships so long, but the subject was near his heart, and he felt that he owed it to his country to bring her case under the immediate consideration of Parliament. The noble Earl concluded by moving—" That an humble Address be presented to his Majesty, praying that he would take into his most gracious consideration the afflicted state of his Protestant subjects in Ireland, and adopt such measures as under the distressing circumstances of the case, might appear expedient to uphold the Protestant religion, and to protect the lives and properties of all denominations of his Majesty's Irish subjects."

Viscount *Melbourne* admitted the ability of the noble Earl's statement; but the noble Earl had wisely abstained from referring to the past history of Ireland, and had expressed himself as if this was the first time that such circumstances as the noble Earl had described had occurred in Ireland, or had been brought under their Lordships' notice. The noble Earl had talked of the disordered state of the country—of the seizures of arms—of the administering of illegal oaths—of the attacks upon houses and persons, as if they were only recent events. Why, they were all at least seventy years old. In 1765, the first Act which was rendered necessary by the disturbances in Ireland was passed; and the preamble of that Act stated many causes of those disturbances, which the noble Earl attributed to the agitation, to the demagogues, and to the Roman Catholic religion, of the present day. Long before a demagogue existed in Ireland, and at a period when the Roman Catholic religion was struck down to the earth, and the professors of it were told from the bench, that it was only by connivance that they were allowed to breathe, Ireland was the scene of events similar to those which the noble Earl had been describing as of recent occurrence. [The noble Earl here read the preamble to the Act of 1765, which recited, as the grounds of the Act, the depredations of the Whiteboys by night and by day—the carrying away of horses and arms—the administering of sundry oaths, contrary to law—the sending of threatening letters, &c.] Such language appeared like a transcript of the noble Earl's speech. They all knew, that from that period to the present, such disorders had been of frequent recurrence. In 1806, when an Administration was in office supposed to be favourable to the claims of the Catholics, there was the insurrection of the Thrashers, which had led to the first Insurrection Act. In 1821 and 1822, when an Administration was in office of a mixed character—some favourable and some unfavourable to the Catholic claims—there was another insurrection of at least equal atrocity. Horrible murders were committed in Limerick, which remained undetected, to the utter despair of the Government of the day, who were unable to send down a Commission, from the inability to procure evidence. It was clear that those disturbances were unconnected with political matters. Since that time there had been a continual succession of atrocities in that country. In 1827, the Government to which he (Lord Melbourne) belonged, had received repeated applications, in consequence of various disturbances in Tipperary and elsewhere, for an Insurrection Act. The noble Duke opposite knew well, that, in 1829 and 1830, the state of the south of Ireland demanded the most serious attention of Govrenment, by which, however, the same view was taken as that which had been taken by the present Government. He held in his hand an application to the noble Duke, from the Magistrates of Tipperary, at the period he alluded to, precisely of the same character as the representation which had been made by the noble Earl, and the answer of the noble Duke took precisely the same view of the case as that which had been taken of the present case by the present Government. The existing evils had been met by the ordinary course of the law, and more particularly they had been met by an increased vigour on the part of the police. The effect had been, to restore the disturbed counties to comparative tranquillity. The noble Viscount proceeded to read extracts from a variety of reports from Westmeath, the Queen's County, &c., agreeing that the number of outrages in these counties had greatly diminished of late, principally in consequence of the increased strength of the police. The noble Earl said, some measures ought to be adopted. What measures? An Insurrection Act? If that was what the noble Earl meant, he was sure the noble Duke (Wellington) would not agree with the noble Earl; recollecting, as he did, the arguments which, in 1829 and 1830, the noble Duke had urged against such a measure. The effect of any such measure must be temporary; while that of the existing law, if it could be rendered sufficiently operative, would be permanent. As to the allusion made by the noble Earl to the circumstance of Magistrates presiding at anti-tithe meetings, his noble and learned friend near him would speak to that point. With respect to the holy turf and straw which had lately been sent so expeditiously about the country, it was impossible for him to say what was the real cause of that proceeding. It might be the result of some superstitious notion, produced by the awe and apprehension generated by the novel circumstances of a disease, which, as had been said of it, began where other diseases ended—that was in death. He begged to observe, however, that the police had directions to pull down the turf towers. He had said before, and, in justice to his colleagues and himself, he must repeat the assertion, that there was no disposition on the part of his Majesty's Government to deal otherwise than justly and impartially towards the Protestants of Ireland. Much had been said by the noble Lord who had just spoken, upon the subject of the education of the Irish people; that topic had been, upon so many occasions, so fully and elaborately discussed, that he should not trouble the House with any observations upon a subject already so completely worn out, and one respecting which, he believed, there existed but little difference of opinion amongst impartial and intelligent men. There were, no doubt, some by whom the plan of the Ministers was regarded with sincere feelings of apprehension, and he was as ready as any man to concede much to the conscientious scruples of those who dreaded injurious consequences from the present plan of Government education; but those who used it as an instrument for party purposes, and with the view of casting obloquy upon the present Ministers, were certainly not entitled to similar indulgence. Again, there could not be a more grievous misrepresentation than to state, that the party-celebrations which took place in Ireland, were really and truly in honour of the great and glorious events to which, it was said, they had reference. He recurred in his mind to those events with sentiments of the highest triumph; he honoured the actors in them as highly as any man living; but was it believed by noble Lords, that celebrations of the kind to which he alluded really went forward for any other purpose than that of endeavouring to revive the ascendancy which one party once enjoyed over the other, and could they doubt that the effect of them was merely to irritate the Roman Catholics? It was really very strange to hear the noble Lord charging it against the present Government, that they discouraged those party associations and proceedings. Had they not equally been discouraged and disapproved of by the Government of the noble Duke opposite? Were there not, at the present moment, to be found letters written by Sir Henry Hardinge, while Secretary for Ireland, dismissing Yeomanry officers from their command, for no other offence than that of attending Orange processions? Therefore, it could with no sort of justice be made a ground of complaint specially against the present Government, that they discouraged proceedings of that nature. Previous to the 12th of July and 5th of November, there were generally, in every year, many conferences held in the Castle at Dublin, with the view, if possible, of preventing the processions, or, at least, of rendering them less mischievous than they had heretofore proved. On one of those occasions, he remembered having met an officer of some rank in the army, who had retired on his fortune in Ireland. To him were represented the destructive consequences of persevering in such practices, and the danger to the public peace with which they were fraught. His reply to that was, "Really, those people planted and dug his potatoes, and reaped his corn; that they would not continue those services to him if he refused to head; and, be the consequences what they might, he could not so far disregard his own interest as to change his conduct in that respect." Neither in education nor in anything else, and, least of all, in the matter of the Party Processions' Bill, was there any intention of doing injury to the Protestants of Ireland, and, with that general disclaimer he should content himself, confident that the House could never be induced to consent to such a Motion as the present.

The Duke of *Wellington* had listened with great anxiety to try if he could discover, from the statement of the noble Viscount, what were the intentions of his Majesty's Government, with respect to the future management of that part of the United Kingdom to which the Motion referred; but, instead of any such thing, he found the statement of the noble Lord embraced little more than two topics—one of these consisted of a comparison between the past and present state of Ireland; the other was an attempt to show that many of the counties, where it was alleged that disturbances had taken place, were really in a most peaceable and tranquil condition. It was perfectly true that the state of Ireland had been at many periods disturbed; but it was equally true, that between those periods of disturbance long and frequent intervals of prosperity and tranquillity had intervened. As to the former disturbances which, from time to time, had taken place in Ireland, he should say, and that without the slightest fear of contradiction, that they were trifling compared with the scenes of which that country was now unhappily the theatre. Heretofore the tranquillity of Ireland was preserved by a force of very trifling amount indeed, compared with he knew not how many thousands of police and military now employed in that country, and at an expense, of the amount of which the House could form no adequate notion. From the year 1805, when the Catholic Question first came to be agitated, to the year 1829, when it was finally settled, it was well known to noble Lords, that the utmost excitement and agitation prevailed; but then at length the Catholic Question was settled, and a real grievance removed. No doubt, the passing of that measure did not produce complete tranquillity, but, nevertheless, the country was excessively tranquil, compared with what it had been since. He begged the House to remember, that, in the year 1829, a measure was agreed to by both Houses of Parliament, which removed that which was, in the estimation of the parties themselves, a real grievance. From that period, all classes of his Majesty's subjects were placed upon a footing of perfect equality as regarded political rights. And he begged to remind the noble Lord opposite, who said that they (the late Administration) left the country in a state of disturbance—he begged to remind him of the Association Act. The noble Lord found that Act, and proclamations issued by the Lord Lieutenant to carry that Act into execution, when he took possession of office. Moreover, the Lord Lieutenant who succeeded his noble friend, had remonstrated against that Act, and had promised to get it repealed; yet, the first act of his government was, to issue a proclamation under that Act, and to carry it into execution, in order to preserve the tranquillity of Ireland, and this before he had been a month in Ireland. He should have supposed, that at that time they would have been satisfied with the Association Act; but, notwithstanding they had that Act, other disturbances broke out in Ireland. Upon an occurrence so serious in its origin and character, and taking a direction so dangerous, one would have supposed that the noble Lord and his colleagues would have taken some step, but, from the breaking out of these disturbances to the present time, they had done nothing. On all former occasions of disturbance, there was, in reality, a public grievance; but that grievance had been removed. And what was this new disturbance? It was an insurrection against private property—the property of the Church as well as of individuals. Those persons had a right to call on the Government for protection; they had a right to ask of Government to protect them in the enjoyment of their property, and to give them a compensation when they lost it. The Government seemed to have no notion of the extent of the disturbance. His noble friend at the head of the Irish Government had seized four offenders, and he had pardoned three out of the four, in expectation that there would be no opposition to the payment of tithes thereafter. The noble Lord now finding his own policy unavailing, was pleased to charge upon him (the Duke of Wellington) the cause of these disturbances. They had been told, indeed, that his Majesty's present Ministers had an extraordinary objection to any of those measures which gave protection to the property and lives of his Majesty's subjects. If he (the Duke of Wellington) was not mistaken, he had reminded the noble Lord that the Association Act would terminate in 1831; and the noble Lord replied, that he intended to bring in a bill to renew it. The Parliament was dissolved before the noble Lord redeemed his promise; but one naturally would have thought that, seeing the attack made upon tithes, and the height to which it was growing, the noble Lord would have lost no time in taking the protection which the Association Act would have given to his Majesty's subjects, when the new Parliament assembled. But the noble Lord did no such thing. When a noble friend of his put a question to his Majesty's Government upon the subject, he was told that his Majesty's Government intended to keep the peace of Ireland without having recourse to any extraordinary measures. Now, he asserted that, from that day to this, there had been no security for property or person, and no enjoyment of peace in Ireland, and almost no civil government whatever. That, according to the best information from all parts, he believed to have been, and still to be, the state of that country. His noble friend had stated, and most truly, that this was the result of a conspiracy. He (the Duke of Wellington) said the same; and before he sat down he would prove it. This conspiracy it was which now deprived a large class of his Majesty's subjects in that country of their property; it rendered life insecure, and tended to the overthrow of all government, and would effect the overthrow of this Government, if that conspiracy were not crushed. It was upon this ground, and this only, that he felt anxious to address the House upon this occasion, desiring to warn the Government and the country of the real danger which at this moment menaced that part of the United Kingdom to which the motion of his noble friend referred. He had heard that lately an attempt had been made by a clergyman in Ireland to endeavour to avail himself of a distress to obtain part only of what was due to him. A body of troops, under the direction of a Magistrate, was on the ground to protect the sale. He had seen an account of the whole proceedings, which he believed to be accurate, and any thing more extraordinary, he must say, he had never seen or heard of. Upon the first day a mob of 20,000 men assembled, upon the second there assembled 50,000, and upon the third 100,000; and all for the purpose of intimidation to prevent the sale. Now, supposing that these numbers were ten times exaggerated, and that only 5,000 or 10,000 men attended, instead of 50,000 or 100,000, he would defy any man to show him how those bodies of men could have been so assembled but by the working of a conspiracy. Who led them there? He (the Duke of Wellington) would tell their Lordships—it was the priests. He came to the knowledge of this fact by a letter from an officer commanding a body of troops upon the occasion, and who, being anxious to keep his men from any collision with the people, was considerably in the rear with his men, where he saw what was going forward. Now, when it was known that a conspiracy existed, the object of which was, to deprive a large body of their property, and that the same means might be brought into operation against any other description of property, against a man's life, his honour, or anything else, surely they had a right to expect from the existing Government, or from any Government, some measure for its suppression. It must not be said, that the Constitution did not enable the Government to assume a power for this purpose. It was in the power of Parliament to confer such a power upon Government. And herein was the beauty of the British Constitution, which, while it protected the liberty and property of individuals by fixed laws, confided to Parliament the power of giving to the Government extraordinary means upon extraordinary emergencies. The Parliament, therefore, could impart to Government a power to defeat a conspiracy which was directed, not against the Government, but against those whom the Government were bound upon every principle to protect. An attack upon tithes was one of the most serious description. Such an attack was levelled against the Church. He knew not what was the Ministerial measure upon this subject, but he would do his best to support it. But he must say, in the meantime, that the Government was bound, and the King was bound by his oath, to protect the property of the Church specially. Nor was it the property of the Church alone that was involved in this organized attack upon tithes. What would they say to the lay impropriator? Was a man who had invested a large property in tithes to be told, that he must lose it all because there was a cry against that sort of property? That surely would not be language consistent with the Constitution, or with the duty of those who were bound to propose measures, to enable his Majesty to protect his subjects in their just rights against lawless violence. He entreated the noble Lord who had spoken last, and those upon whom his speech had made any impression, to weigh well the difference between the situation of the present Administration and that of which he (the Duke of Wellington) had formed a part, with respect to Ireland. At present Ireland had no public grievance. This he affirmed; the noble Lords opposite knew this to be the case. And he would tell them, that they would be obliged at last to adopt a measure of coercion, the extent and severity of which would be in proportion to the length of time they allowed to elapse before they acted upon that advice. With reference to the collection of large bodies in Ireland, for the purpose of overawing the authorities, intimidating his Majesty's subjects, and defeating the law, he well remembered upon the subject of the Manchester affair, many years back, to have heard the noble and learned Lord opposite (Lord Plunkett) make a most able, eloquent, and unanswerable speech, in defence of the conduct of the Magistrates, in the other House of Parliament. Now, he should like to know from that noble and learned Lord, what distinction he drew between the situation of the Magistrates of Carlow and Cork upon the late occasions, and the situation of the Magistrates at Manchester, whose conduct he had so ably and eloquently vindicated. He should be told, no doubt, in consequence of this allusion, that he was always anxious to spill human blood.

He should be able to bear the reproach, sustained by the consciousness that his sole object was to save the shedding of human blood. He wanted to save human life by legislative means, before the necessity arose for the employment of arms against mobs and crowds of people. His object was, to see the conspirators got the better of. Upon a late occasion in Ireland, to which he had already adverted, it appeared that the King's troops were for three days in the presence of large mobs, and that the latter at length succeeded in their unlawful object, and carried off the articles which had been distrained. This he charged to be a conspiracy, and one of the most dangerous kind, and, if not put down by legislative means, would, in the end, require means of the most painful description to put down. The noble Lord who had last addressed the House, had advanced that Ireland was now in a state of greater tranquillity than she had been for some time past. He must say, that as far as his information went, the reverse was the case. It might be true that tranquillity had been restored in a particular district, but did any gentleman feel himself secure in that country. There was one test, however, to which he was anxious to bring the noble Lord's statement, as to the tranquillity of that country. Could the noble Lord say, that in any one instance the Government had been able to carry into execution the Tithe Act lately passed? Was there a single instance in which that had been found practicable? He must say, that if the clergy were paid out of the Consolidated Fund, and this Act were not carried into execution by the Government, the members of the Administration would stand in an awkward predicament before Parliament. It appeared by one of the statements read by the noble Lord, that the Lord Lieutenant had lately traversed the Queen's County with perfect security. This circumstance was adduced as a proof of the tranquillity of that part of the country It was no proof at all. He did not mean to say it was meant to deceive, but such statements did, in effect, operate as a deception upon the world. It was well known that the Lord Lieutenant, when he moved about, was surrounded by troops, and the fact stated by the noble Lord proved nothing either one way or the other. What he wanted to see in Ireland, as the only proof of tranquillity to which he could attend, was, some security for property, some security for tithes, and some peace. He now came to that part of the subject which was the most painful, because, in his opinion, it reflected the most strongly upon his Majesty's Ministers. He referred to their treatment of the Protestants of Ireland. In the treatment to which the Protestant Church had been subjected he must say, that the Protestants of Ireland had been entirely thrown aside. There could be no doubt that the Protestants of Ireland, who, like all other bodies, were divided amongst themselves upon many subjects, were unanimous in their feelings against his Majesty's Government, with a sense of injury done, and a sense of insecurity in their situation, the contemplation of which was most painful to all who wished well to the union of the two countries. It was undoubtedly desirable to widen the basis of the Union as much as possible; but he deceived himself who thought that the connexion between the two countries could be maintained if the Protestants were estranged — or ever thought of looking elsewhere, or to themselves rather than to the Protestant Government of England, for protection. It was not yet too late; he hoped it would never be allowed to go so far as that. But, if something were not done, the time would at last arrive, when the Protestants of Ireland would have to choose between that which they would most unwillingly accept, a Catholic government, or a separation. He entreated their Lordships to weigh well this part of the question. The Irish Protestants had been in all situations, and under all circumstances, the firm friends of England. He had now accomplished all that he rose to effect. He had stated his opinion to his Majesty's Government, and informed them of the steps which he thought would pacify Ireland. He knew not whether it was intended to press the Motion of his noble friend to a division. He had no wish beyond stating his own opinion. It was not for him to point out the particular measures which it became his Majesty's Government to adopt; but he could not sit down without repeating, that if they viewed what had taken place in Ireland in any other light than that of a conspiracy, they would certainly be in error.

The Duke of *Cumberland* thought it but fair to state, that he should certainly divide the House upon the Motion of the noble Earl.

Lord *Plunkett* gave full credit to the noble Lord who made the Motion then before their Lordships, for the sincerity of his intentions, and the purity of his motives, but he confessed that he thought he had some reason to complain, that the noble Lord had thought proper to visit upon the present Government all the vices and misfortunes which previous Governments had brought upon that country for centuries past. The noble Lord had also been pleased to attribute those acts which constituted crime against society at large, to hostilities subsisting between Catholic and Protestant, narrowing and confining that which affected the whole community equally, to an offence exclusively against the Protestants. The noble Lord had directed his complaints against two classes of crime, which he said prevailed in Ireland. The first was a conspiracy, which interfered with the enjoyment of all property—which assailed the dominion over land. Now, he would appeal to any one who heard the noble Lord, to say whether the effect of his observations was not, to impress the minds of all who heard him with the belief, that those offences were, in every instance, committed by Catholics against Protestants. He would not say that that was unfair, since such an expression would seem to convey some imputation upon the noble Earl, but this he would say, that it was most unfounded; indeed, so unfounded, that he had expected, that though the noble Duke who spoke last agreed generally with the noble Earl, he should still have thought it becoming—nay, felt it necessary, to have replied to such a statement. The noble Earl had said, that the effect of the present system of his Majesty's Government would be, to drive from Ireland every Protestant, and banish them for ever from their native soil. He would ask the noble Duke, whether he joined with the noble Earl in that assumption; and, if he did, upon what ground he had brought himself to do so? True it was, that the noble Earl had read letters from private individuals, but what did they prove? Could documents so utterly unauthenticated prove anything? Had any one of them been verified by affidavit? Could the noble Lord, upon such grounds, before Parliament, and in the face of the country, think himself justified in bringing forward such accusations as the House had just then heard? On the part of the people of Ireland, and especially on the part of the Catholics, many of whom he knew, he begged to deny the existence of any such conspiracy. It was really absurd to talk of a conspiracy of nearly a whole nation against a very small portion of its inhabitants. He found it difficult to comprehend how such a line of argument could be consistently pursued, unless it was intended to re-agitate the old debates upon the Catholic claims; and, with all his experience of public life, it did surprise him, that any assertion so gross and monstrous should have passed the lips of any one. He would put the thing on this footing—was the present resistance to tithes a Protestant, or a Catholic resistance? How many of the Protestants joined in the resistance? Had they not all joined in it, whenever it appeared in their neighbourhood? That was a matter of public notoriety, and there could not be a grosser perversion of terms than to ascribe the present state of Ireland solely to the Catholics. It was inconceivable to him what pleasure any one could take in making such gross mistakes, and in thus dashing the hopes of the country for ever. From the course which the present debate took, there was no one who heard it that would not actually ask himself this—what hope can there be for Ireland? Their Lordships had heard two speeches—one from the noble Duke, the other from the noble Earl—and what was the remedy recommended by either? The noble Earl told them, that the whole nation was in a conspiracy against a small portion of their fellow-subjects, and that the only remedy for that was the resignation of the present Ministry. After stating, as he conceived, the nature and extent of the danger, he then says, that the present Administration must go out, or there will be no peace for Ireland.

The Earl of *Roden*: I never said any such thing.

Lord *Plunkett* did not undertake to repeat the exact words, though he had taken a note of them, and might, if it did not detain their Lordships, refer to that note; but of the general purport of that observation of the noble Earl he could entertain no doubt—it ran through the whole of the introduction of his speech—it was a species of prelude or symphony before he entered upon the full tide of song, but the scope and tendency admitted of no doubt; according to the noble Earl, the source of the complaint could by no manner of means be deemed problematical. It was all to be traced to the one fact, that the present Ministers were in office, and if they would only have the goodness to go out, all might yet be peaceable and happy in Ireland. But, after all, would that accomplish the objects which the noble Earl had in view? If an effective Administration could be formed of other materials, it would not surprise him to hear the noble Earl use such language as had just fallen from him; but he should have thought, that the noble Earl might have taken such counsel from recent events as would lead him not to anticipate much beneficial change from the resignation of the present advisers of the Crown. If there existed this alleged conspiracy on the part of the Roman Catholics in Ireland, to overturn the Protestant interest in that country, if his Majesty's Ministers suffered themselves to be made the dupes of such a plan, then the Motion should at once have been, to address the King to dismiss the present Ministers from his Majesty's councils. He would take the liberty of denying the assumption which had prevailed throughout the whole of the argument. The noble Lord talked as if the Protestants of Ireland were united against the present Ministry. But this was not the case. There was a certain party in Ireland, who thought themselves entitled to call themselves exclusively the Protestants of Ireland. If it was said that this noble Marquess, or that noble Lord—this gentleman, or the other gentleman, was a Protestant, their answer was, "Aye, but his principles are just as bad as if he were not one;" and this was their logic—"Every Protestant must be an enemy to the present Administration: therefore every man who is not an enemy to the present Administration, cannot be a Protestant." He believed that there was a large and honest party in the country, both of Protestants and Catholics—and he founded his assertion on a long and extensive experience and acquaintance with all parties and classes of men—he believed that there was a great party, both of Protestants and Catholics disposed to support the Government of the country. It was the duty of the Government to identify themselves with that sound and honest party in the country. He hoped the Government would have the courage to join themselves to that sound and honest party, and rely for support, not on any faction, but draw upon that great fund of probity and good sense which existed to a vast extent amongst the people of England and of Ireland. He believed that his noble friend would have the courage and honesty to draw upon that fund. He believed that they would be able to dictate to all parties—not to offer an insult either to Protestants or Catholics, but, on the contrary, to conciliate and promote the interests of all. It was the duty of Government to face the faction which opposed it, and say it was resolved to carry on the public business, and for the public benefit. The noble Duke had alluded to the past history of Ireland, and said, that he could not institute any comparison between the former periods of disturbance and the present. In former times the crimes and disturbances of the Roman Catholics were caused by their having a grievance, whereas at present they had none. He was glad the noble Duke had placed concession to the Roman Catholics on its true grounds.

The Duke of *Wellington* begged pardon of the noble Lord; but he did not say they had no grievance, but that they could not state tithes to be a just grievance.

Lord *Plunkett:* But they always consider they have a grievance.

The Duke of *Wellington:* I did not quote their words but my own.

Lord *Plunkett* said, but if they thought they had a grievance, that, according to the noble Duke's own theory, was sufficient to explain these revolutionary movements; and, as the noble Duke must see that revolutionary movements did take place, he could not, in the teeth of his own doctrines, deny the existence of a grievance. He agreed with the noble Duke, that property ought not to be invaded; but there was a feeling amongst the people very generally—indeed, they were almost unanimous—that tithes were a grievance. Objections had been raised to the conduct of his noble friend, the Lord Lieutenant. It was charged against his noble and gallant friend, that he at first, cried out against the Proclamation Act, and afterwards availed himself of it. Now, the noble Marquess might think the measure unwise, impolitic, and even unconstitutional, and, on those grounds, oppose its being passed into a law; yet, having once received the sanction of the Legislature, he was bound to obey it; and there was no reason why he should not make use of it when those circumstances occurred against which it was intended to provide. He found the Proclamation Act in force when he assumed the Government of Ireland; his predecessor had issued proclamations under it, and found it answered well. The noble Marquess, in succeeding the noble Duke (Northumberland) made use of it, and, in his opinion, he was very right so to do. He did not apply on the subsequent Session for its renewal; whether he was right or not in doing so he would not presume to say, his only object was, to justify his noble friend from the charge of inconsistency. With regard to the complaint made against the noble Marquess, for pardoning some individuals convicted of joining in an outrage, it appeared on investigation, that these men had been mainly instrumental in preventing the mob from proceeding to personal violence; and the farmers promised, that if the Government would pardon those men, they would immediately pay up the tithes; which they did, and the noble Marquess, considering all the circumstances, granted them a pardon. What fair ground of complaint had they against his noble friend, the Lord Lieutenant. He challenged them, from the beginning to the end of the tithe disturbances to point out any one instance in which the Lord Lieutenant refused to give the most prompt and effectual aid to every person applying for assistance. If he had done so in any one instance, let the documents be referred to, and the case pointed out. The opponents of tithes had acted upon a new plan. They did not violate the law; they said they would not pay tithes, but that in itself was no violation of the law. They said, that the parson might come if he chose and distrain their goods; but when the parson distrained he found nobody to buy. What could the Government do in such a case? Government could not become the auctioneer, nor find buyers. The case in the county of Cork had been referred to by the noble Duke. Why, how did it stand between the Government and the parson? The parson says, "Will you give me assistance?"—The Government says, "Can you find buyers?" — "Yes." — "An auctioneer?" — "Yes." The Government gave assistance; a great body of people was assembled, but not one buyer could be found. The parson was unable to fulfil that part of the contract for which he stipulated. What was to be done? Were the troops to remain there to the end of time? No; that was impossible; and the consequence was, the distress was driven back, and the party escaped. Every case that had occurred had been maturely considered by the person who occupied the office of public prosecutor in Ireland; and if in any case a prosecution could have been instituted, it would have been immediately commenced. Government could not do more than they had done; they had no other alternative, except that of attacking the multitude as dangerous to the public peace—an alternative which he would not do the noble Duke the injustice of supposing him capable of contemplating. With reference to the disturbances which had taken place of a different character, he must remark, that in more instances than one, the Magistrates had called for the aid afforded them by and under the provisions of the Insurrection Act, and had said they would not act without it. He would beg to ask, if it was on such a demand that the Government were to extend to Magistrates, declaring their refusal to act without it, the provisions of the Insurrection Act? The Insurrection Act might be a necessary evil under certain existing circumstances. Well might his noble friend (Marquess Wellesley) who presided over that country, and who had left there an eternal monument of his fame—well might he reflect with pride on the course he pursued. Those who should hereafter peruse the history of that country, would find his master-mind written in characters more durable than if they had been engraven on brass. The laurels which he had acquired by his Administration in Ireland, one only could reach. Did he adopt the Insurrection Act as a thing to be recurred to from time to time until it should become a permanent law? No; he submitted to it from mere necessity. He did great service by adopting it; but he always viewed it as an instrument of power, the use of which nothing but a case of an overwhelming necessity could justify. And what was it that his noble friend, the present Lord Lieutenant of Ireland had done? He said, "I will not resort to this extraordinary course, until the ordinary powers of the law have been tried and found insufficient. I will not throw a whole people into the hands of an angry Magistracy: I mean not to speak harshly of those gentlemen; I have the honour to know many of them, but they are, like other men, liable to be acted upon by their passions." His noble friend said, he would not put the people into the keeping of an angry Magistracy, and deprive them of the intervention of a Jury. Rather than a victory should be gained by successions of appeals to a strong unconstitutional act of this kind, he would try his hand another way, and would not submit to this dictation of the Magistracy. When he spoke thus of the Insurrection Act, he meant not to condemn its enactments under every possible circumstance; because he originally had a great hand in framing it. But was it for the Magistrates to say, they would not act without the Insurrection Act; was it thus that Ireland was to be governed? No: accordingly his noble friend said—"Then I will act without it, and will see what the ordinary force of the law can do." His noble friend did so; and what was the effect of his noble friend's firmness? The very Magistracy who declared that they would not act without the extension of the Insurrection Act—the very persons who said they would resign if the Act were not allowed to be brought into operation—abandoned their intention when they found that his noble friend would not yield to their solicitations, and, turning in earnest to the application of the common law, found that it was possible to restore and maintain tranquillity without the extraordinary aid which they had demanded. The experiment was tried by the usual assizes, and by special commissions in the county of Clare, and peace was restored. The same ordinary course of law was also tried in the counties of Limerick, Tipperary, and Galway, with the same results. Were not, then, the Protestants of Ireland, and every freeman, and every one who felt for the constitutional rights and liberties of Ireland (he hoped these words were not gone quite out of fashion), were they not bound to return their grateful thanks to his noble friend for the course he had pursued? Was not tranquillity more perfectly restored than it would have been by harsher measures, which would have left the miserable dregs of bitter party feelings still rankling in the mind, and prevented satisfaction being felt on either side? Declarations of that kind on the part of the Magistrates had not been confined to the present Administration. In 1829 many of the Magistrates declared that they would resign if the Insurrection Act were not brought into operation. That declaration was not regarded by the then existing Government—the application for the extension of the Insurrection Act was resisted—the Magistrates, as in the late instances, did not resign—the common law, as in the late instances, was resorted to—and tranquillity, as in the late instances, was, through the instrumentality of that common law, completely restored. The noble Earl who opened the Debate had passed a very warm and, no doubt, a very sincere, eulogium on the Magistrates and gentry of Ireland. He respected those persons as much as the noble Earl; but, at the same time, he would not become so indiscriminate a panegyrist of their conduct as the noble Earl. During the Administration of the noble Duke, who preceded my noble friend now at the head of his Majesty's Councils, a strong claim was put in for the extraordinary exertions on the part of the Magistracy of Ireland. Now, the answer to these claims, on the part of the Magistrates, was to be found in a letter written by a person, not being one of the present conspirators whom he saw around him, but by the Secretary of the noble Duke who presided over the Government of Ireland at that time. The letter was written in the year 1830, and was signed by Sir Henry Hardinge. The letter stated, that a Protestant had been murdered as he was returning from Church in the evening; this was one of those cases on which some of the noble Lords were in the habit of dilating, as instances of atrocity peculiar to Ireland, and to be ascribed solely to Catholic partisanship—but, though murder was very shocking, yet similar cases constantly occurred in England. The Magistrates in that case were intimidated by threats. The witnesses did their duty and lodged an information against the criminals, but the gallant Magistrates did not dare to commit—and were those Magistrates to be charged with conspiracy? A meeting of Magistrates was convened; they, however, declined to do their duty, but called on the Government to do theirs; and these worthy people were those who styled themselves exclusively the Protestants of Ireland, and against whom the Government was alleged to be in a state of conspiracy. He would give another specimen of this exclusively Protestant party, and their respect for the laws. The noble Lord then proceeded to read another letter, dated 9th June last, which stated that the anti-educationists had at last resorted to physical force against one of the new schools. They forcibly ejected the master and boys —tore down the title of "National School," —destroyed the reading lesson, which, as their Lordships probably knew, was published, and contained only those pure doctrines of the Christain faith in which all sects agreed.

The Earl of *Roden* asked, where the letter was from?

Lord *Plunkett* would not mention at that moment; he might tell the noble Earl presently. The chief patron of the school applied to a neighbouring Magistrate for redress, but he flatly refused him, alleging as a reason, that he had sold a Bible. Notwithstanding this, he (Lord Plunkett) had to congratulate the noble Lord opposite, that the new system of education had made, and was still making, successful progress through the country. It was, by the by, somewhat curious that the noble Lord, who had dwelt so much on the carrying about the holy turf, should be ignorant that it was not a superstition, but had been got up by the anti-tithe party, with a view to intimidate the Government. The right reverend Dr. Murray had published an address to the Roman Catholics of Ireland, denouncing the folly of it. But it had been said, that the affair of the holy turf had been got up by the priests, because one of the priesthood had been met by a young officer at the head of one of these parties. He (Lord Plunkett) would not deny that many of the priesthood had been active during the late disturbance, but he thought it was too much, and too heavy, to erect a charge against the entire priesthood of Ireland on so slight a foundation. However that might be, he could not but attribute all these combinations to the not passing the measure of Emancipation of the Roman Catholics in the year 1825. He felt assured that, if the privileges they sought had then been conceded to them, no such combinations as the present would have existed. He regretted having to trouble their Lordships at this great length, but he must trespass upon their attention further, while he alluded to the charges which affected, in some degree himself. It had been said that the Government of Ireland had misconducted itself with reference to the Magistracy of that country, by retaining improper persons in the Commission of the Peace, and by removing or rejecting persons properly qualified for the discharge of those important functions with which a Magistrate was invested. No particular case, except that of Captain Graham, had been mentioned, for he could not suppose the case alluded to by the noble Lord opposite was the case of Mr. Ruthven.

The Earl of *Roden* said, he did not know particularly; there were many cases, and that of Mr. Coppinger, of Middleton, was one.

Lord *Plunkett* had never heard of that case, and had not any recollection of it. But the case of Mr. Ruthven was shortly this, and was verified by affidavit. It did appear that this gentleman had attended a meeting in some part of the county of Dublin, and at that meeting he made use of some most inflammatory language, telling the people assembled, amongst other things, not to deal with those who should continue to pay tithes. On a Representation of the case being made to him (Lord Plunkett) he had consulted with his noble friend, the Lord-lieutenant of the county of Kildare, on the subject, for he confessed there was a difficulty presented itself to his mind upon it. The difficulty was this, and he begged to call the attention of the noble Earl opposite (the Earl of Eldon) to it. Undoubtedly it appeared certain, that to combine not to pay tithes was an offence punishable by an indictment, but it was, in his judgment, by no means so clear that to incite not to pay tithes was so punishable. However, it was supposed that the language made use of rendered that gentleman liable to a prosecution. That being the case, he felt it his duty not to interfere as Chancellor, and he believed such was the usual practice. He appealed to the noble Earl (the Earl of Eldon), whether he, as Chancellor, whenever a Magistrate had committed an offence for which he was subject to a prosecution, did not invariably wait for the results of that prosecution. That, he believed, was the law laid down by the noble Earl, though he did not agree with him in the extreme extent, as he thought there were some cases in which the ends of justice would be better answered by the deprivation of a Magistrate, upon whose character strong doubts rested, than by waiting the results of a prosecution. In this case, however, he had written to the Lord-lieutenant of the county in which the gentleman held the commission, and that noble Duke did not think it was one calling for the dismissal of the party from the Magistracy, but it was ultimately considered best that he should be admonished, and so he was. Another case complained of, was the case of Colonel Verrer. Now, what was the real truth of that matter? He (Lord Plunkett) had at the same time before him, the informations of the chief constable of the town of Duncannon against two gentlemen of the county of Armagh, Colonel Verrer, and Mr. Grier. In these informations it was stated, that Colonel Verrer and Mr. Grier had come into the town of Duncannon, at the head of a body of upwards of 5,000 Orangemen, with twenty banners flying, and a variety of Orange emblems. That was one of the processions which the noble Lord had lauded so highly, and described as extremely innocent. They were, however, anything but innocent. Their avowed purpose was the commemoration of ancient glories; but their real effect was the infliction of present insults and injuries. If the noble Lord would enumerate the crimes and atrocities to which these processions had given rise, he would call them anything but innocent. This procession met the Roman Catholics; bad language was exchanged; and being, as was generally the case on such occasions, provided with concealed arms, pistol-shots were fired, and several persons severely injured. These processions, then, were no glories to the Roman Catholics, but were most degrading and insulting to that class of the community; and their consequences were, a catalogue of crimes, and effusion of blood, not to be equalled in the annals of the crimes of any country. Colonel Verrer, on being written to, declared that his meeting with the party was accidental, that he was riding out with his lady, but that he certainly went into town with them. He positively denied that he wore any Orange emblem, though it was sworn he did by the constable. He (Lord Plunkett) felt more desirous to act upon the word of Colonel Verrer than upon the oath of the policeman. Under such circumstances, he did not think he should have been justified in dismissing Mr. Ruthven, when he had not dismissed Colonel Verrer and Mr. Grier. The charge made against him was a want of impartiality; but was there any want of impartiality in this matter. Now one word as to the case of Captain Graham. He was a Captain of Yeomanry, and he commanded the Yeomanry in the unfortunate transaction at Newtownbarry, to which he (Lord Plunkett) should not now particularly advert, further than to say, that there were about twenty lives lost on that occasion. He had never said, that Captain Graham had acted in that instance with a want of humanity: on the contrary, he believed him to be a person of high character and honour; and if he (Lord Plunkett) had been on the Grand Jury before whom bills of indictment for murder were sent against Captain Graham, he would most certainly have thrown them out; but he must nevertheless say, that he was perfectly satisfied that Captain Graham had acted unwisely and illegally in this affair; and he was equally satisfied that the feeling in the country was so strong against him, that there was no duty of a Magistrate which could have been efficiently performed by him. But it was a mistake to suppose, that he (Lord Plunkett) had dismissed Captain Graham. He had not done so. He had never dismissed any Magistrate, with one single exception. At the time that this affair at Newtownbarry had occurred, there was no Lord-lieutenant appointed for the county of Wexford. When the Lord-lieutenant was appointed, he said he would not decide this matter, as to the re-appointment of Captain Graham to the Magistracy, but would leave it for the decision of the Lord Chancellor. Now when he (Lord Plunkett) came to investigate the facts of the case, he found that Captain Graham, apprehensive that a riot would take place, had, two days previous to the riots in question, sent for the Yeomanry on his own authority. He begged to tell their Lordships, that doing so was against law. During his absence from that House he understood that thispoint had been under discussion, and that a question had been put by the noble Earl (the Earl of Wicklow) to his noble friend the Secretary for the Home Department, as to the state of the law upon the point in this country. He would not dispute the statement which his noble friend then gave of the law on the subject in this country, he would not say that, according to law here, a Magistrate would not be justified in calling out the Yeomanry, but this he would say, that such was not the law in Ireland. No person had the right or power to call out the Yeomanry in Ireland, except the Lord Lieutenant of Ireland. The Act of Parliament (the 42nd George 3rd) which authorised the Lord Lieutenants of counties and Sheriffs to call out the Yeomanry in this country, expressly confined that power in Ireland to the Lord-lieutenant of that country. Under these circumstances, when the re-appointment of a Magistracy took place, it appeared to the Lord Lieutenant, that it would be better not to again fill up Captain Graham's appointment; it was so intimated to him, and he stated that he did not wish it himself. He had, in conclusion, to beg pardon of their Lordships for having so long trespassed on their attention; it was necessary for his justification that he should do so, and he now trusted that he had satisfied their Lordships, that the line of conduct which he had pursued, so far from meriting the attacks made upon it by the noble Earl, was the only one that a person filling his situation could have adopted.

The Earl of *Caledon* said, it was not my intention to have addressed your Lordships, but I rise in consequence of a reference made, by the noble and learned Lord to a transaction in which I was concerned. The noble Lord was perfectly correct in stating, that Colonel Verrer and Mr. Grier appeared at the head of a party of Orangemen. But when Colonel Verrer denied that he headed the assemblage for the purpose imputed to him, the noble and learned Lord should not have assumed that he was guilty of any offence, without having had recourse to further evidence to prove that guilt. I hope I may now be permitted to offer one word in explanation of the vote I shall give. I regret very much that the words of the Address did not embrace the general state of Ireland, but that it is confined to the afflicted state of the Protestants; now I do not conceive in the north of Ireland the Protestants have any just cause for apprehension, but I shall vote for the Motion because I can not object to any measure which has for its object the consideration of any portion of my unfortunate country.

The Earl of *Eldon* said, it was due to Ireland that some inquiry should be made. He should not, on the present occasion, say one word as to the demeanour of either Protestants or Catholics. No man opposed emancipation more than he did. He then stated to their Lordships, that if, at any future time he should alter his opinion on that question, he would come down to the House and candidly avow it. From that time, however, up to the present moment he never was able to change that opinion. He never had any doubt as to the illegality of the Catholic Association, and he was equally clear as to the illegality of those meetings which assembled in opposition to tithes. In neither case was the common law called into operation with sufficient force, for, if the common law of Ireland was the same as that of England, it would be sufficient to put down these illegal associations. Why was it not appealed to in the case of those recent combinations against tithes? He was prepared to maintain, that the very first document (the letter of Dr. Doyle, we believe) which was brought under the consideration of the Committee, was an illegal act, and might be brought under the operation of the common law. To leave matters of this kind to be settled by the progress of good sense and of calm reflection was, in critical circumstances, rather an unsafe mode of proceeding, for if calm good sense had been absent for so many centuries, it was not very likely to return in time enough to be useful. If there was ground for the Association Act, there must be ground at common law for putting down such associations; and he was never more surprised, on finding the common law the same in both countries, than at the circumstance of no prosecution having been instituted. The common law must be utterly ineffective and of no use, if it was necessary to wait and see the mischief done before it could be brought into operation. With respect to the law as it regarded the Yeomanry force, yeomen did not cease to be citizens. When assembled upon any occasion, they were perfectly competent to discharge all the duties of citizens. They might, therefore, in any case where danger and tumult presented itself, interfere like any other citizens to put it down, without being specially called upon by the Lord Lieutenant. It was his conviction that the resistance to the payment of tithes began in conspiracy, a conspiracy which, if prosecuted with vigour, might be severely punished.

The Earl of *Wicklow* said, that if he had been in the House when it was proposed to his noble friend to postpone his Motion, he should have most strongly protested against the reasons assigned for the postponement. He should have urged his noble friend to proceed with it, and then, if the noble Viscount at the head of the Home Department had not sufficient industry to make himself acquainted with what he ought to know of the state of Ireland, or sufficient energy to act upon that knowledge, the House would be able to judge of his fitness for office. They would know what to think of the noble Viscount. The other reason for the delay was that assigned by the noble and learned Lord on the Woolsack, who said, he could not without the greatest pain sit for one or two hours, and hear his noble and learned friend (Lord Plunkett) abused, while he had no opportunity of defending himself or the Irish Government. They had not often an opportunity of hearing a Lord Chancellor of Ireland in that House, and it still more rarely happened that Government required such assistance to fight their battles. He was not aware of any one point adverted to by his noble friend in the course of his speech, with which the noble and learned Lord had such a connexion as to require his presence for the purpose of explanation, with the exception of the case of Captain Graham. The noble and learned Lord was in his place when he (the Earl of Wicklow) gave notice of his Motion. The noble and learned Lord then said, that it would be necessary for him to attend in Ireland for the discharge of his professional duties. He was surprised at hearing this, because it was Passion Week, a time which he thought was generally taken by the legal profession as a period of relaxation. The noble and learned Lord observed upon that occasion, that he could be but very slightly interested in the subject of the Motion. He rejoiced, however, that this Motion was deferred, for they had now an opportunity of hearing the noble and learned Lord's defence. With all his talent, all his experience, and forensic skill—with all his opportunities of knowledge and of the fullest information—they heard the speech of the noble and learned Lord, and he would leave it to their Lordships to judge of its effects. It gave him pleasure to see upon what easy terms, with how little of argument, the noble Lords opposite were satisfied. With all respect for the noble and learned Lord, he must say, that he never heard a more feeble speech, not merely from the noble Lord himself, but from any member even of the present or of any other Administration. The noble and learned Lord refused to give credit to the documents referred to by his noble friend (the Earl of Roden), because they were not supported by affidavit, while the noble and learned Lord himself referred their Lordships to documents that were equally unsupported. The noble and learned Lord did not pretend to say, that it was illegal in Colonel Verrer, or any other person to ride at the head of an assembly of men whose object was not illegal. The bill brought in by Mr. Stanley, the right hon. Secretary for Ireland, proved that such assemblies were not illegal, for the object of that was to make them so. The noble and learned Lord admitted that the meetings in opposition to tithes were illegal. Was the noble and learned Lord, then, to tell them, that, because the persons who rode at the head of a legal assembly were not dismissed the Magistracy, he could not dismiss those who connected themselves with illegal meetings of the lowest rabble, headed by demagogues? In reply to his question of what the Lord Lieutenant ought to have done, he (the Earl of Wicklow) would tell him, in the words of another part of his (Lord Plunkett's) speech, that he ought to have allied himself with the wealthy, the loyal, and the respectable, to put down the disturbers of the public peace. He attributed the present wretched state of Ireland to the supineness and ill-judged measures of the Ministry. He alluded to one of the early instances of resistance to the payment of tithes, where two men were convicted of a breach of the law: the Government remitted their sentence. It was in a spirit of gross truckling to the lowest rabble that they were induced to pursue this course. From the moment those persons, who were found guilty of conspiracy against the payment of tithes in the county of Kilkenny, received a pardon, things went on from bad to worse, and the whole country was rapidly carried into its present situation. But was there only a single case of a Magistrate acting in this manner? Another Magistrate pursued the very same course, and yet was still left in the Commission of the Peace. He had said, upon a former occasion, that so gross an act of injustice was never committed as in the case of Captain Graham. Why was he kept out of the Commission of the Peace? Because, said the noble and learned Lord, his conduct was a violation of the law. It was not very likely that a county Magistrate could be conversant with a point of law, upon which even such high authorities as the noble and learned Lord, and the noble Viscount at the head of the Home Department, differed. The Home Secretary admitted that the Yeomanry, upon the occasion alluded to, were bound to obey the Magistrates. This the noble and learned Lord denied; and, when there was such difference of opinion upon the point, a gentleman in the situation of Captain Graham might be well excused for not clearly understanding the law. Captain Owen expressly stated, that Mr. Stanley, the Secretary for Ireland, commissioned him to employ the Yeomanry. It was said, that Mr. Stanley at the same time directed him to swear them in as special constables. Captain Owen, however, said that no such condition was imposed upon him; that Mr. Stanley said, "May you not swear in special constables?" which he did not understand at the time as applied at all to the Yeomanry. Under such circumstances, it was a most unfair proceeding to disgrace a gentleman like Captain Graham in the eyes of the country and of his acquaintance. It was productive of the very worst effects. The consequence of it was, that one entire county was now without any Magistrates; the gentlemen, resenting the treatment of Captain Graham, refused to be put in the Commission of the Peace; and in another neighbouring county they were afraid to accept it. By the preamble to the 37th George 3rd, the Yeomanry were associated for the preservation of the peace. Now, was it to be said that, associated on such a principle, they were not to act when called upon, and when there was danger of having the peace broken? A clause was subsequently introduced, making provision for a case of invasion by a foreign enemy, and this, he believed, led to the idea that the Irish Yeomanry could not be called out except by the Lord Lieutenant of Ireland. Whether this were the law or not, it should at least be clearly understood by the Magistrates. At the period when the present Ministers came into office, Ireland was comparatively tranquil, happy, and contented, but in the space of two short years of misgovernment, it had been reduced to a state of disorganization unexampled at any former period. It had not the protection of law, and the people were, in fact, driven back to the very first principles of social order. They were arming every where in self-defence. He received a letter lately, stating that the Protestants in the county with which he was connected, were going in such crowds to register their arms that it became necessary to adjourn the Quarter Sessions. He should support the Motion, because he hoped the result of inquiry would be, to open the eyes of Government. It was the only means by which they could be taught an effectual lesson upon this important subject.

The Marquess of *Lansdown* admitted that, if the learned Lord's effort was feeble, the effort of the noble Earl, by the same rule, must be extremely powerful. As to Captain Graham, he had acted from the best intentions, but with singular indiscretion; he had violated the law; and if he had been suffered to continue in the Commission of the Peace, the worst consequences might have been apprehended from the irritation which it would produce. He contended, that the Yeomanry could only be called out by the Magistrates to act in cases of apprehension of invasion—not of riot: there was this just and proper distinction between the Irish and the English Acts. He protested against those ills, which had resulted from a long course of mis-government, being attributed to the conduct of the present Administration. If any party were liable to accusation for the course they had pursued, it was a party of noble Lords opposite. He defied anybody to show the act Government had done which it ought to have left undone—or the act it had left undone which it ought to have done for the tranquillization of Ireland. On the contrary, noble Lords opposite had opposed the only practical system of general education ever proposed for Ireland, and it could scarcely be denied, that the best mode of preventing outrage and producing tranquillity was, by disseminating a sound and moral education as extensively as possible. There was evidence of the benefit that was to be expected from education, given before the Committees in 1824 and 1825. For proof of the advantages of extended knowledge, and of the evils occasioned by ignorance among the Irish peasantry, let them look to the reports of what was said on this subject by Dr. Burney and Lord Kingston. But it was no longer a question whether the Government would give the people of Ireland education, or whether they would not, for it was certain that people would have education in some way or other. The best way was, to secure the means of giving the people the education they might receive with advantage. At present even, he believed that for every regular schoolmaster there were twenty hedge-schoolmasters. The things taught by these people were most noxious, and the books they circulated among the young were bad. Yet, rather than consent to the system of education which the Government proposed, and which would only omit one or two passages that were considered objectionable, there were noble Lords who would continue the present mischievous system —a system which was a never-failing source of disloyalty, superstition, and ignorance—and who would then come down to that House and reproach the people of Ireland for their ignorance of that very knowledge which these very noble Lords so carefully withheld from them. The noble Duke and the other noble Lord who had spoken on the same side, were shy to say that they wanted the Insurrection Act for Ireland. Yet he knew, that by some persons it had, at least on former occasions, been demanded. He believed there was good documentary evidence to show that Magistrates had pressed for new and extraordinary powers, and that threats had been given, that unless some extreme measures were conceded, the support of the party would be withheld from the Government. It was true that these applications had not been made to the present Government, but there was a great deal of documentary evidence to show, that they had been made to the last Government, and, he must add that, to the honour of the noble Duke, they had been uniformly refused. If there was one man, therefore, on whom the present Government was entitled to rely for support in a question of this sort, it was the noble Duke, who had himself been applied to, for the purpose of obtaining from him the concession of extraordinary powers, and who had been strengthened in his refusal by the support which the noble Earl, now at the head of the Government, then afforded him. He repeated, that the noble Duke had set the honourable example of opposing such an indecent application. The ordinary course of law, if the law was vigorously enforced, would be sufficient, and it was the first duty of the Government to enforce the law vigorously. There was a noble Earl opposite, who, though he did not ask for the Insurrection Act, spoke of making the law what it ought to be. It was to be hoped that noble Lords, before they voted for the Motion now under consideration, would satisfy themselves what the law was, and whether there had been any fastidiousness on the part of Government in making it strong enough for the protection of those who required its aid, or in devising laws to meet the difficulties presented by the existing state of Ireland. He would state, from the most authentic source, from a high legal authority, what was the present condition of the law; and he thought that no one would then deny, that the law was in itself strong enough, if it were possible to be enforced. The noble Marquess here referred to the 10th Geo. 4th, c. 34, by which, in the case of offences against the person, all violent assaults were punished with transportation. In the same manner was punished the administering of unlawful oaths, and the Judges did not hesitate to enforce it; for one man who was murdered, but whose evidence had been previously taken, was held sufficient to convict fourteen men on the following day. In the same manner, any combination to induce any man to send away his servants, was punished by transportation. A heavy punishment was likewise provided for those who sought or solicited or conspired for such a purpose. Offences against property were provided for by the 9th Geo. 4th; and then as to associations; in the first place, illegal associations were punished; next, the having of unregistered arms; and the attempt to form these associations was punished with transportation. A combination to defraud the clergy of the tithes, or to obstruct their collection, was to be punished with imprisonment and whipping. After reading this catalogue of the laws as they now stood, the House would probably wonder with him at the demand of the noble Earl to make the laws as they ought to be. He thought he had a right to call on the noble Lord to state the specific Act which he required. Would he move it, or could he show that any of those which were now in force were not properly enforced? Temperately, but firmly and regularly, were they enforced. He defied the noble Earl to show that that was not the case. He declared that he knew no instance in the history of that unhappy country, in which the course of justice had been more steady in its application than it had been in the present year. He was equally prepared to assert, that there had been no want of honesty or courage on the part of witnesses or Juries, and there never had been a greater number of convictions under similar circumstances. Did noble Lords want the Insurrection Act and military punishment; and did they believe that such a course would produce as good an effect upon the minds of the people, as the punishment of offenders by the regular course of the law? The people of that country knew well the difference between justice and injustice, and between proceedings according to and against law. As a proof of this, he might mention, that frequent as were the instances of attempts to assassinate Magistrates who had acted under the Insurrection Act, there was scarcely one instance of the kind against Jurymen who had convicted prisoners in the constitutional discharge of their duty. In Clare, in the Queen's County, and in Galway, there was not an instance of the acquittal of rioters; and the Commissions that had been sent into those counties had had the effect of putting down discord and restoring confidence. He had property in the Queen's County; and, because he wished to preserve that property, he felt most deeply indebted to the noble Marquess, the Lord Lieutenant of Ireland, for the firmness, and the moderation, which was the best ally of firmness, that he had shown on this occasion. There were those who resided in that county, and who felt in the same manner. He had received a letter to that effect from a Magistrate, who had once held different opinions, and wished for extraordinary powers, but who now admitted, that the measures of the Government had changed his opinion, because he saw that they had restored confidence to the people. It was now, however, a charge made against the Government, that they had omitted to enforce their own Act for the collection of tithes. Why, the noble Lord who made the charge must see by the Act, that the time had not yet come to enforce it; but every preparation had been made to enforce the law, and, when the time arrived at which it could be enforced, he would see it enforced. He conjured the House to pause before they recommended the Government either to violate the law by a stretch of power, or to seek from Parliament new powers unknown to the Constitution. He would tell them what was the opinion of the learned Lord Chief Justice of the Court of King's Bench in Ireland. Chief Justice Bushe said—'Some of those who 'are disgusted and alarmed by the progress of insurrection, and impatient of 'the persevering follies and vices of the 'people, may look to such measure as a 'remedy more appropriate than our present proceeding, while the audacious and 'infatuated wretches now confederated 'against the peace of the country, may be 'taught, by their more criminal instigators, 'to despise a danger and defy a power 'which they have never experienced; but 'let both take counsel from those who 'have lived before them, and they will be 'told what a fearful thing it is to live in a 'country bereft of those free institutions, 'which, while they restrain, protect all 'classes of society in the enjoyment of 'their respective rights. Such an evil is 'to be deprecated, but the time may come 'when it may be the least of two misfortunes, and the only means left to quell 'rebellion and avert anarchy. It is not 'unnatural that those who witness and 'suffer by daily and increasing outrages 'should think that time already arrived, 'and surely, on the other hand, it will be 'expected by any constitutional man, that 'the Legislature will always pause to the 'last moment, and almost beyond the last 'moment, before it will adopt that course 'which, however, the history of all countries shows that the extreme danger of 'the common weal may call for and justify. Whenever that day shall come, '*væ victis væ victoribus*—woe to the 'vanquished, woe to the conquerors!' Feeling convinced that all attempts to control excitement by violent and extreme laws had ever failed, he must, therefore, again and again, as a man as well as a Minister, thank the Lord Lieutenant for the course which he had pursued. He trusted that the same course would still be adopted, and he was sure, that whatever others might think of the noble Lord Lieutenant, he would obtain, as he would deserve, the confidence of the King and the Parliament.

The Marquess of *Westmeath* defended the Magistracy of the part of the country in which he resided, from the observations that had been made upon them. The demand which the noble Lords on his side of the House had made upon his Majesty's Ministers was called for by the circumstances of the case. He had, at least, a right to inquire of the noble Earl opposite, what was the quantum of disturbance which, in his opinion, would justify him in acceding to the measure he was called upon to adopt. He denied that there was any return to tranquillity in Ireland, or any symptoms of a return. He could say, that positively for the county of Westmeath. [The noble Marquess entered into a great variety of statements of local outrages, to show that Westmeath and the neighbouring parts were in a disturbed and disorganized state.] Even on Thursday last, the most violent articles had appeared in newspapers to excite a deadly animosity against the Protestant Church, and all who paid tithes. He acknowledged that the laws were strong enough, but there were no means to enforce them; and, all he asked was, that the industrious and loyal classes should be protected by Government in the night, and they would protect themselves by day, especially if they could derive confidence, and all attendant advantages, from their ostensibly possessing the protection of Government. If the law were well executed by his Majesty's Ministers, how came it that the crimes of which he had read a list could exist? Let not the House have foisted upon it the idea that the law was strong enough, unless Ministers would do something to give efficacy to the law. If his Majesty's Government did not pursue a totally different course, the House would separate but a very short time before the most serious evils would ensue. He wished the Insurrection Act to be put in force, but he also wished that it should be wielded by some persons nominated by the executive. He did not wish, therefore, to have the people exposed to what noble Lords opposite called the angry passions of the Magistrates. He claimed the protection of civilization against barbarism, and, if Government pursued their present course, within six weeks after Parliament separated, every man in Ireland would be obliged to arrange himself under one party or the other. No man could deny, that a conspiracy existed to destroy the Protestant Church, and to drive the Protestants out of the kingdom. The newspapers of the country openly avowed the fact.

The Earl of *Roden* replied, that his Majesty's Ministers were *particeps criminis* if they did not remove those Magistrates who were attending the meetings of the disaffected. When the noble Marquess spoke of his system of education, leaving out only some parts of the Bible as improper, he wished that he had explained what those parts were, for it was always received that all parts of the Bible were the Word of God.

The House divided:—Contents, Present 60; Proxies 19—79. Not Contents, Present 70; Proxies 50—120;—Majority 41.

List of the NOT CONTENTS—*Present.*

DUKES.
Hamilton
Leinster
Portland
Richmond
Sussex
MARQUESSES.
Clanricarde
Cleveland
Cornwallis
Downshire
Queensberry
Sligo
Stafford
Wellesley
Westminster
EARLS.
Albemarle
Amherst
Camperdown
Charlemont
Clarendon
Cowper
Darnley
Denbigh
Fife
Fingall
Gosford
Gower
Grey
Ilchester
Lichfield
Meath
Radnor
Rosebery
Sefton
Shannon
Stradbroke
Suffield
Suffolk
Tankerville
VISCOUNTS.
Goderich
Hood
Melbourne
BARONS.
Auckland
Barham
Brougham
Dacre
Dinorben
Dunally
Dundas
Foley
Glenlyon
Holland
Howard of Effingham
Howden
Kenlis
King
Lilford
Montford
Mostyn
Napier
Oakley
Panmure
Petre
Plunkett
Poltimore
Ponsonby of Imokilly
Say and Sele
Segrave
Selsey
Sundridge
Teynham
Willoughby d'Eresby

Proxies.

DUKES.
Bedford
Devonshire
Norfolk
MARQUESSES.
Ailsa
Anglesey
Breadalbane
EARLS.
Besborough
Buckinghamshire
Burlington
Carlisle
Ferrers
Fortescue
Granard
Huntingdon
Ludlow
Mulgrave
Nelson
Onslow
Oxford
Pomfret
Ranfurly

Shrewsbury
Spencer
Yarborough
VISCOUNTS.
Falkland
Granville
Hawke
Lake
BARONS.
Abercrombie
Audley
Braybrooke
Cawdor
Clinton
Cloncurry
De Clifford
De Saumarez

Dormer
Dover
Durham
Erskine
Gardner
Godolphin
Lovell and Holland
Lynedoch
Mendip
Rossie
Stourton
Templemore
Vernon
BISHOPS.
Killaloe
Norwich

CONTENTS—*Present.*

DUKES.
Beaufort
Buccleugh
Cumberland
Northumberland
Rutland
MARQUESSES.
Camden
Cholmondeley
Londonderry
Salisbury
Thomond
Waterford
Westmeath
EARLS.
Aberdeen
Abingdon
Aylesford
Beauchamp
Brownlow
Caledon
Charleville
Dartmouth
Delawarre
Digby
Eldon
Falmouth
Glengall
Limerick
Longford
Morton
Orford
Powis
Roden

Romney
Selkirk
Westmoreland
Wicklow
VISCOUNTS.
Combermere
Ferrard
Sidmouth
Strangford
BARONS.
Bexley
Boston
Carbery
Churchill
Dufferin
Ellenborough
Feversham
Forester
Hay
Kenyon
Manners
Montague
Northwick
Redesdale
Rolle
Sheffield
Southampton
Wynford
ARCHBISHOP.
Armagh
BISHOPS.
Exeter
Kilmore

Proxies.

DUKE.
Montrose
MARQUESS.
Ely
EARLS.
Bradford
Carrick
Clancarty
Guilford
Talbot
Winchilsea
VISCOUNTS.
Exmouth

Lorton
Melville
Sydney
BARONS.
Arden
Colchester
Farnham
Prudhoe
Stowell
Walsingham
BISHOP.
Bath and Wells

HOUSE OF COMMONS,
Monday, July 2, 1832.

MINUTES.] Papers ordered. On the Motion of Mr. GEORGE VERNON, an Account of the mode of appointing Coroners in England and Wales.—On the Motion of Mr. COURTENAY, an Account of the Official and Declared Values of the Exports of British and Irish Produce and Manufactures (exclusive of Cotton Goods) from Great Britain, in each year, from 1798 to 1831, both inclusive, specifying the differences between the Official and Declared Values, and the per centage of such differences.

Petitions presented. By Mr. HUME, from Whitechapel, against the Vagrants Removal Bill; from the Bethnal Green Political Union, against the Privileges of Parliament Bill; from the Birmingham Mechanics Institute, against the Taxes on Knowledge; from Thornton, Bangor, and Aisgarth, against the Punishment of Death; and from Newton and Failsworth, for an additional Clause in the Highway Bill.—By Mr. HEYWOOD, from the Coroners of Cheshire, against the Coroners Bill.—By Mr. JOHN BROWN, from three Places in Ireland; and by Mr. CAREW, from two Places,—against Tithes, and for Church Reform.—By the latter HON. MEMBER, from eight Places in Ireland, for an equal and efficient Reform to that Country.—By Mr. HEYWOOD, from Manchester, and other Places, against the Vagrants Removal Bill.—By Mr. WILBRAHAM, from the Workmen in a Manufactory at Salford, in favour of the Factories Regulation Bill.—By Mr. JOHN BROWN, from Mayo, for better regulating the Flax-seed Trade; and from Westport, against the proposed Reduction of the Duty on Hemp.—By Sir ROBERT BATESON, from a Clergyman of Londonderry, against the proposed alteration in the Laws regarding Clandestine Marriages (Ireland).—By Mr. O'CONNOR, from Kilcoman and Robin; and by Mr. JOHN BROWN, from Westport,—in favour of the Ministerial Plan of Education (Ireland).—By Mr. ANTHONY LEFROY, from Killashee and Kilglass;—by Sir ROBERT BATESON, from Antrim, and two other Places;—by Mr. ROBERT A. DUNDAS, from the Presbyteries of St. Andrew's and Dunfermline; and by Sir EDMUND HAYES, from nine Places in Ireland,—against that Plan.—By Mr. WASON, from Ipswich, to hold the Assizes for Suffolk alternately at Ipswich and Bury St. Edmund's.—By Mr. PENDARVIS, from Falmouth, for Stopping the Supplies till the Reform Bill be carried.—By Mr. MAXWELL, from Arva, against the Irish Reform Bill

RUSSIAN-DUTCH LOAN.] Mr. *Herries* wished to put a question to the noble Lord, connected with the Russian-Dutch Loan, referred to in the Convention laid a few nights ago on the Table of the House. In the preamble of that Convention reference was made to a former Convention of May, 1815, and to an additional article to that Treaty. At the time, he was well aware that that additional article was understood to be a secret article, and at the time the object of making it secret was satisfactory enough. But the circumstances which made it so had since been removed, and none now existed. He thought it indispensable that the House should have it before them, as it must necessarily form one of the grounds upon which the two contracting Powers had proceeded in the new Convention. He hoped there could be no objection, therefore, to its production on the part of the noble Lord; and, if he should be of that opinion, there would be no occasion to move the House for it. While in possession of the House he would again take the opportunity of asking, when the noble Lord thought it likely he should bring forward the measures which his Majesty's Government proposed to found upon the Convention? He was sure the noble Lord would see the necessity of the House having due notice of the measure, and that there should be ample time for considering a matter of such vital importance.

Lord *Althorp* would first answer the right hon. Gentleman as to the secret article of the Treaty of 1815. He was ready to concede to him, that the same objections to its publicity which existed at the time it was framed were now removed. But he would rather not, at the moment, give a positive answer as to whether he should feel himself justified in laying it before the House or not. With respect to the other point, the object the Government had principally in view was, to get forward with the Irish Reform Bill; and, until they saw what progress it made, it was impossible to fix a day for the discussion of the other question, which he admitted was one of very great importance. He could assure the right hon. Gentleman, however, that a notice should be given, so that the House should have ample opportunity of giving it every attention.

Mr. *Herries* said, that respecting the important document to which he had alluded, he wished it to be understood, that he should move for its production if the Government did not think proper to lay it on the Table.

THE BUDGET.] Mr. *Herries* begged to take that opportunity, as the noble Lord was about to move the Supplies, to ask, at what time the Government expected to be prepared with the annual general statement of the financial affairs of the country, the usual time being passed when, according to modern practice, that statement should have been made? He was desirous of knowing this, because he believed that a knowledge of the views and intentions of the Government would save trouble, and perhaps much preliminary discussion, which might be provoked by longer delay. At the same time, he wished to suggest to the noble Lord the necessity, for the guidance of the House, of having prepared a balance-sheet, showing distinctly the income and expenditure of the quarter ending the 5th of April last. It was known that the public felt much disappointment and alarm at seeing, by the balance-sheet for the quarter ending 5th of January previous, that there was a great deficiency in the income of the country, as compared with its expenditure. He wished that the balance-sheet of the succeeding quarter might show it otherwise; but he very much apprehended, that the deficit would even appear much more considerable. His own calculations, as far as he had been able to make them, certainly showed that result, though he sincerely hoped those calculations might turn out to be wrong. But he thought that very important matter was involved in the question, and that it was material for the House to know what the relative state of that quarter was. As another quarter was now drawing near to an end, and, as the year's accounts could not be made up for some time, he thought it highly desirable that the sheet for the quarter ending April 5th should be before the House, and the general statement made as speedily as possible.

Lord *Althorp* agreed with the right hon. Gentleman, that it would be proper to have this balance-sheet laid on the Table as speedily as possible, but it would be better for those who wished for it to state their reasons openly. The alleged deficiency would be found much less than had been stated—less than 1,200,000*l.* He must also remind the House, that the Estimates for the year did not come into operation until after the present quarter, and that Ministers relied principally on those Estimates for the reduction of the expenditure of the country. He trusted, when the time came, that he should be able to show that the hon. Gentleman's apprehensions were groundless. In a few days the publication of the accounts must take place, according to Act of Parliament.

Sir *George Warrender* said, that with regard to the transaction relating to the convention with Russia, he was sorry it was to be postponed, as it was a matter he was very anxious to see before the House. Having been one of those who gave his confidence to the Government on that affair, and voted against the motion of the right hon. member for Harwich, depending upon the speech of the noble Lord, the Secretary for Foreign Affairs, he was certainly astonished to find the dates which he now saw upon the convention. But, although he gave that vote, he did so feeling at the time that it did not pledge him to any transaction, binding this country to pay money to Russia after the separation between Holland and Belgium had been completed. He voted as he did, thinking this country bound in honour to pay so long as the separation between the two States had not taken place. He did now hope, under the aspect which the affair had taken, that the question would not be deferred, so as to be brought forward when Gentlemen had been compelled to leave town, and when it could not receive the attention it loudly demanded.

Lord *Althorp* was quite willing to enter into a full discussion on the subject, but it would certainly be desirable that there should be a full attendance when the question was discussed.

SALARIES OF THE LORD PRIVY SEAL AND THE POSTMASTER GENERAL.] Mr. *Dawson* rose to put a question to the noble Lord, as to the salary of the Lord Privy Seal. Upon looking at the evidence taken before the Committee for inquiring into the salaries of the Officers of State, he saw that the present Lord Privy Seal declined to receive any salary for his services, holding his office to be a sinecure. He saw now, however, by the papers on the Table, that the salary was paid, and he therefore supposed that Lord Durham had changed his mind. He wished to ask the noble Lord, whether any part of the salary of the Lord Privy Seal was due up to the present time, or whether any application had been made for it, or whether, in fact, Lord Durham was not now receiving the full amount, and had not received it from the first? The question, too, upon the same grounds, he wished to extend to the case of the noble Postmaster-general.

Sir *George Warrender* said, the right hon. Gentleman was in error in supposing that his question applied to the Postmaster-general. That noble Duke did state to the Committee, that he should be unwilling to take the salary, thinking it a sinecure; but, when he found the office an efficient one, with heavy duties, he did not object. He always stated what he thought right on behalf of individuals against whom imputations were made, and he was not to be schooled in doing so by his right hon. friend. He thought it fair to say, on behalf of Lord Durham, that the Committee communicated to him their opinion, that his not taking the salary would be a great injustice to the office, and an injury to his successors.

Mr. *John Wood* corroborated the statement, as one of the Committee who appealed to Lord Durham not to refuse the salary, upon the ground that it would be hard to deprive his successors of it.

Lord *Althorp* said, he believed that the Lord Privy Seal had received his salary regularly, though he was not quite sure. With regard to the Postmaster-general, he did not receive some of the early portions, but he now intended to do so. He believed there were few Gentlemen in that House who would not agree with him, that it was a bad principle to introduce, for noblemen, because they had large fortunes, not to receive the salaries attached to their offices —and he thought those noblemen had not judged well in the first instance.

Mr. *Dawson* said, his object was, to know whether the salaries were received or not, and not to complain of their having been received, which he thought they always ought to have been. He was sorry his hon. friend had been nettled at the observations he made to him.

Sir *George Warrender* could assure his right hon. friend, that one of the things he always carefully avoided was, being nettled.

PRODUCE OF SLAVE LABOUR.] Lord Althorp moved the Order of the Day for the House to resolve itself into a Committee of Supply.

Mr. *Keith Douglas* rose to move for certain returns, the object of which would be, to show how dependent the maintenance of the manufactures and commerce of this country was upon the supply of tropical productions, raised by compulsory labour. In considering the question, it was one thing to say they should have no compulsory labour, and another thing to say they should have it under proper restrictions and regulations. He thought that, before the people of this country were called upon to decide upon this important question, they ought to know to what an extent it would affect their own manufactures and commerce, and consequently, their most important interests. It appeared by the return No. 367, of 9th April, 1832, that the quantity of cotton wool imported in the year ending 5th January, 1831, was:—from the United States of America, 210,885,358 lbs.; Brazil, 33,092,072 lbs.; British West Indies, 3,429,247 lbs.; other slave countries, 11,630 lbs.; re-imported from Guernsey, the Netherlands, Portugal, &c., 190,275 lbs.; Philippine Islands, 29,672 lbs., altogether, 247,638,254 lbs. From the East India Company's territories, 12,481,761 lbs.; Egypt, 3,248,633 lbs.; Turkey and continental Greece, 353,077 lbs.; Colombia, 221,381 lbs.; Hayti, 166,266 lbs.; Peru and other places, 52,080 lbs.—altogether, 16,323,198 lbs. Thus it appeared, that the quantity of raw cotton wool imported from countries employing compulsory labour was, 247,638,254 lbs., while the cotton imported from countries with a mitigated state of labour, such as the East Indies, Egypt, and other places was only 16,333,198 lbs. Therefore, of the whole cotton imported into this country, being 263,961,452 lbs., only 16,333,198 lbs. were produced under a mitigated state of compulsory labour. It appeared further, that the quantity of raw cotton wool exported in the same year was 8,534,976 lbs.; and in the year ending 5th January, 1832, 22,308,555 lbs. Therefore, on an average of two years, the quantity exported appeared to be about equal to the quantity produced by free labour. By another Return it appeared that the cotton wool imported in the year ending 5th of January, 1832,

was	288,708,453 lbs.
Of which was exported again in a raw state	22,308,555
Leaving the balance for the home consumption at	266,399,898

Thus the material for the whole cotton manufacture of this country, of Manchester and Glasgow, as well as of every little village, was supplied by compulsory slave labour. It would thus be seen what an immense interest the nation must take, in not rushing to a change of that state of things, upon which depended the immediate supply of the raw material for the whole cotton manufacture of this country. The importance of this would be further illustrated by a reference to the value of the articles exported, and of which the raw material produced by compulsory labour formed the basis. It appeared by the Return No. 349, ordered on April 2nd, 1832, that in the year ending 5th of January, 1832, the quantity of cotton manufactured goods exported was as follows; viz.—in declared value, 15,294,923*l.*; twist and yarns, 3,975,019*l.*; making together 19,269,942*l.* These sums were independent of cotton manufactures exported under the head of apparel, slops, and haberdashery, which in 1830, amounted to 772,834*l.* In the year ending 5th of January, 1832, the declared value of the quantity of manufactured cotton exported was 13,284,036*l.*; cotton twist and yarns, 3,975,019*l.*; making together 17,259,055*l.*; so that the general export of the manufacture of cotton, all derived from slave labour, was little short of 20,000,000*l.* annually. The total declared value of British and Irish produce and manufactures exported in the year ending January, 1831, was 38,271,597*l.*, and the declared value of cotton and cotton goods alone, being, in the same year, about 20,000,000*l.* sterling, was considerably more than the half of the whole. He mentioned this to show the magnitude of the interests concerned, and to prevail on the House, if he could, not to interfere hastily in this subject; and if, by any interference, they should diminish the supply of this raw material, they might depend upon it the most injurious and ruinous consequences would follow, upon the heads of all the numerous classes employed in all the vast variety of trades connected with the cotton manufacture. It was the opinion of the most experienced persons, that nothing but compulsory labour could supply either this or other tropical articles, in sufficient quantities to meet the demand for them in Great Britain. If that were not the case, and that free labour could supply the articles in abundance, then there would be no difficulty in getting them from the East Indies, and other such places. But how stood the fact? A slight perusal of authentic returns would prove, that in no one instance had colonies or settlements, availing themselves of free labour, been found to compete with compulsory labour. The article of cotton, to which he had referred, the proportion produced by slave labour to that produced by labour somewhat free, being as 247 to 16, or the latter being less than one-fifteenth of the former—showed how small a portion of British commerce depended on the produce of mitigated labour. He would state some other facts, illustrative of the same principle, and hon. Gentlemen would, he hoped, be made sensible of the prodigious risk they ran by proposing at once to put an end to compulsory labour. By the Return No. 457, of the 18th May, 1832, it appeared, that the quantity of sugar imported into Great Britain and Ireland, in the year ending 5th January, 1832, was 5,366,263 cwt.; of which there was from countries availing themselves of slave labour, viz.

from British colonies and plantations, including Mauritius, 4,621,299 cwt.; from the foreign West Indies, viz. Cuba, Porto Rico, and St. Thomas's, 127,750 cwt.; Brazil, 362,621 cwt.; re-imported from various quarters, 17,176 cwt.; making together, 5,128,846 cwt. And from the East India Company's territories, exclusive of Singapore, 161,779 cwt; Singapore, 23,794 cwt.; Siam and Java, 9,450 cwt; Philippine Islands, 39,349 cwt.; Cape of Good Hope (supposed the produce of some of these countries), 3,045cwt.; altogether, 237,417 cwt.—making a total of 5,366,262 cwt. Total export in the same year, stated as raw sugar, 1,409,841 cwt.; nett produce of duty received, after making every deduction, 4,650,589*l.* Thus it appeared the quantity of sugar imported, the result of free labour, was scarcely one twenty-fifth part of the whole, and that commodity, besides giving employment and wealth to a great number of individuals, yielded nearly 5,000,000*l.* to the State. The importation of coffee also illustrated this principle. By Return No. 458, of the 18th of May, 1832, it appeared that the quantity of coffee imported into Great Britain, in the year ending 5th of January, 1832, was 43,007,828 lbs.; of which there was from countries availing themselves of slave labour, viz. British West Indies, including re-importations from Europe, 416,254 lbs.; Mauritius, 185,796 lbs.; Cuba, 1,591,747 lbs.; Brazil, 9,151,771 lbs.; United States of America, 385,739 lbs.; West coast of Africa and Cape of Good Hope, exclusive of Sierra Leone, 16,122 lbs.; Bahamas, imported there, and re-exported, 13,179 lbs.; re-importations from continental Europe, say 7,000 lbs.—total from slave labour, 31,467,608 lbs. From all other countries, in many of which it was difficult to distinguish whether coffee was the produce of slave or free labour—Sierra Leone, 127 lbs.; East India Company's territories, 2,895,052 lbs.; Singapore, Ceylon, &c., 4,599,827 lbs.; Hayti, 4,018,795 lbs; Mexico and Guatemala, 26,417 lbs.; together, 11,540,220 lbs.—making a total of 43,007,828 lbs.; of which, 22,485,474 lbs. were exported. Thus it appeared, that not above one-third at most of the coffee used in this country, or made an article of traffic, was the produce of free labour. The only other article he would refer to was tobacco, and it appeared by the Return No. 367, ordered on the 9th April, 1832, that the quantity of tobacco imported into Great Britain and Ireland, in the year ending on the 5th January, 1832, was, unmanufactured 24,489,753 lbs.; manufactured, and snuff, 254,055 lbs.—together, 24,743,808 lbs.; of which there was, from countries availing themselves of slave labour, viz.—United States of America, 23,752,413 lbs.; and others, 101,440 lbs.—together, 23,856,853 lbs.; Cuba, and foreign West Indies supplied 70,243 lbs; and other places, 114,352 lbs., —together, 184,595 lbs.; British West Indies, 1,583 lbs.—being a total from slave countries of 24,043,031 lbs. From other countries, in many of which it was difficult to distinguish whether slave labour had or had not been employed, the importations were, from Germany and the Netherlands, 101,213 lbs.; East India Company's territories and Ceylon, 24,223 lbs.; Turkey and continental Greece, 5,392 lbs.; British northern colonies 23,855 lbs.; Hayti, 19,029 lbs.; Colombia, 515,014 lbs.; all other countries, 12,051 lbs.—making together, 700,777 lbs.; and giving a total, as before stated, of 24,743,808 lbs. The tobacco exported amounted to 9,916,792 lbs.; and the nett duty collected amounted to, during the year ending the 5th of January, 1830, on this article of slave labour, 2,858,794*l.* He implored the House to consider and weigh these statements; but, above all he implored them to consider the depths and magnitude of the interests at stake. Let them consider to what an extent capital and industry were embarked in all these branches of trade. Let them also consider the state of the public revenue to which this production so largely contributed. The raw material supplied by slave labour produced a deal more than half the manufactured exports of the whole country. If, then, the Government or the House should deal rashly with such mighty interests, they might, it was true, induce or force the colonists to give up slave labour; but the immediate consequence would be, that the growth of all the articles which he had mentioned would be transferred to the United States, and to other countries. It was no answer to him to say, that the raw material could be got at a somewhat higher price in the East Indies. The very fact of raising the price of the raw article would be the destruction of manufactures, the great inducement to which was cheapness. Before sitting down, he would shortly advert to a Report made by Mr.

Mackenzie, the Consul-general, sent out to Hayti by the Foreign Office, for the purpose of gathering information concerning the state of that colony, and the extent to which free labour had been pushed. That Gentleman in the execution of his duty, in his Report drew a comparison between the exports of that island in 1789, when slave labour was employed, and the exports of the year 1826, when they were all free, and his account was as follows—

EXPORTS FROM HAYTI.

MUSCOVADO SUGAR.	1789	93,573,300lbs.
	1826	32,864lbs.
CLAYED SUGAR.	1789	47,516,531lbs.
	1826	Nil.
COFFEE.	1789	76,835,219lbs.
	1826	31,181,784lbs.
COTTON.	1789	7,004,274lbs.
	1826	620,972lbs.
COCOA.	1789	Nil.
	1826	457,592lbs.
INDIGO.	1789	758,628lbs.
	1826	Nil
MOLASSES.	1789	25,749lbs.
	1826	Nil.

He contended, from these statements, and from the opinions of the most experienced practical men, that any interference with compulsory labour in our colonies would not only annihilate our colonies, but also our domestic manufactures. The hon. Member concluded by moving "For various Returns, showing how dependent the maintenance of the manufactures and commerce of this country are on the supply of tropical productions raised by compulsory labour."

Lord *Althorp* said, that he should not oppose the Motion, but he candidly confessed he could not see the object of it, unless the hon. Member meant, by following up his argument, to prevent the abolition of slave labour.

Mr. *Keith Douglas* said, the object of his Motion and of his observations was, to show the danger of deranging by interference such mighty interests as those involved in the colonial question.

Motion agreed to.

SUPPLY—ORDNANCE ESTIMATES.] The House resolved itself into Committee of Supply,

Mr. *Kennedy* brought forward the Ordnance Estimates, in which, he was happy to announce, that considerable reductions had been effected. The reductions would be much less apparent on this occasion than they would be next year, owing to the arrears which had to be cleared off before the new system of accounts could come into full operation. But, when those arrears should have been cleared off, and the new system was in full operation, not only would there be a diminution of the number of clerks, but the business would be much more efficiently managed than hitherto. In the Irish department also, there would be an equal reduction, to one-half the clerks employed, with increased efficiency. The hon. Gentleman moved, that 77,639*l.* be granted for the salaries of the superior officers in the Ordnance-office, in Pall Mall, and Dublin.

Mr. *Hume*, placing all but implicit confidence in the economical intentions of Ministers, and making due allowance for their being fettered in carrying those intentions into effect, by the great pressure of the important business in which they had been engaged since their accession to office—had not opposed any of the Estimates for the naval and military service which had been submitted to them, and therefore would not offer any opposition to the present. He confidently trusted, that the promised retrenchments in all branches of the public service would be effected; at all events, he relied on the energies and integrity of a reformed Parliament for insuring those retrenchments, and every other public benefit.

Colonel *Davies* said, that for the public to be a gainer, the number of commissions ought to be reduced. The Estimates had gone off very quietly, but on a future occasion there must be a severe scrutiny.

Sir *Henry Hardinge* had only heard the conclusion of the hon. Member's statement, and, therefore, of that only could he speak. The hon. Member spoke of an improvement in keeping the accounts. He much doubted whether any improvement had been effected. On a future occasion he should move for papers to try the question. He was not disposed to differ from the prevailing feeling in the Committee, and to go into the Estimates. He must remark, however, that the Committee was a very thin one, and presented a very different appearance to preceding ones. It had been the fashion to attack the Ordnance department, under previous Administrations, with allowing or practising abuses; now, he wished to call on the hon. Member to state to the Committee whether he had detected any abuses, and what?

Mr. *Kennedy* said, that if a reduction in the expenditure was to be considered a remedying of abuses, there had been such a thing effected. He thought that there had been more clerks than necessary. He also considered that the alteration in the mode of keeping the accounts was an improvement; for a much less number of clerks would be necessary under the new system than was under the old. In the Irish department there had been a reduction of one-half in point of expense. He knew not whether the answer would be satisfactory to the hon. and gallant Member, but he had endeavoured to answer his question.

Sir *Henry Hardinge* said, that if a diminution of expenditure was a proof of a remedying of abuse, then indeed the hon. Member might be correct. But the expense of the army was much greater now than before the present Administration, and there had, therefore, been an augmentation of abuse under the present Government. With respect to the boasted reduction in Ireland, the fact was, that he himself (Sir H. Hardinge) had, while in office, laid the plans for the reduction effected by the present Government. Then the hon. Member spoke of arrears. What did he mean? He must tell the hon. Member, that in 1828 there was no arrear. When the late Administration left office there was no arrear. If the hon. Member called that arrear which was created by a change of system, then there might be arrears.

Mr. *Kennedy* said, that the arrears were occasioned by a change of system. He contended that the new system was a highly improved one.

Sir *Henry Hardinge* denied, upon the statement of the hon. Member, that the present Board was entitled to any credit. As to the mode of keeping the accounts, that mode had been recommended by the Finance Committee.

Lord *Althorp* said, that if the reduction of expenditure in the Ordnance department was less than was expected, it arose from the circumstance that the army itself had been increased, and that the Board of Ordnance had always been held up as the most perfectly-managed department in the Government.

Mr. *Hume* thought, that the system of keeping accounts in the Ordnance department was, even now, much more complicated than it need be.

Mr. *Hunt* hoped, that in the next Parliament they would not be content, as late Governments had been, with striking off a few miserable clerks, and calling it reduction, but would effect reduction in the highly-paid Colonels of regiments and Staff Officers, many of whom were most needlessly kept up.

Resolution agreed to.

The following votes also agreed to:—

The sum of 9,199*l.* for the Ordnance Department at Woolwich:

The sum of 15,139*l.* for the Civil Establishment of the Officers of the Ordnance on station at home.

On the question that a sum of 27,375*l.* be granted for the salaries of the Civil Establishment of the Officers of Ordnance in Ireland and abroad,

Mr. *Hume* asked, whether there were not some reductions to be effected in these establishments? He had understood that there was a promise to that effect. As to the establishment at Enfield, he was informed that they were engaged in making knives and forks. He did not think that that was a part of the duty of a branch of the Ordnance establishment.

Sir *Henry Hardinge* said, that the hon. member for London, with true Aldermanic taste, had given the hint for this question about knives and forks. He begged to say, that the Enfield establishment had been a check upon contractors, and had operated to secure considerable savings to the public.

Mr. Alderman *Wood* said, it was true he had suggested the question; but, instead of being a joke, it was a fact. He understood that the establishment at Enfield was so employed. At all events, he was sure that it was employed very expensively, and very uselessly for the public. It had not been a check on contracts, for Ordnance stores could always be furnished cheaper by contract than they were furnished by these establishments.

Colonel *Maberly* said, that it was not now a question whether this establishment ought to be formed, but whether, being in existence, it would or not be a loss to the public to put it down. He was of opinion, that, to put it down now, would occasion a great loss to the public, and he believed that, as it now worked, it did effect a saving for the public.

Mr. *Hunt* hoped, that in the next Parliament such an argument would not be listened to. What! was an establishment to be kept up merely because it was found to be in existence?

Sir *Henry Hardinge* said, that it was necessary to keep up the establishment for other reasons besides that given by the gallant Colonel opposite. The manufacturers at Birmingham would not make a rifle on military principles, unless they received special orders to do so, and then they charged higher prices than these arms could be manufactured for at Enfield. This had been the case on more than one occasion, and he was, therefore, justified in saying, that the establishment at Enfield had been a check upon the contractors, and was a saving to the public.

Mr. *Kennedy* stated, that the old materials which had accumulated at the Tower, and other public stores, and which, but for this establishment, would be utterly useless, were now worked up there, and made available for service.

Mr. *Hume* believed, that the establishment cost more money than it was worth. There was another establishment, too, he wished to notice. There was a powder establishment near Hyde Park, which he thought was a nuisance, and ought to be removed. It required twelve men to attend to it, and watch it, and he thought that it was not safe after all, and ought to be removed.

Sir *Henry Hardinge* observed, that the gunpowder establishments were absolutely necessary to be kept up, for the powder made by contract was not that which ought to be given either to the army or navy, to be used in action.

Resolution agreed to, as were the following Resolutions:—

37,735*l.* for Barrack Masters' salaries belonging to the Ordnance Department in Great Britain, Ireland, and the Colonies:

5,088*l.* for the salaries of the Master Gunners in Garrisons and Batteries in Great Britain and Ireland:

81,535*l.* for the corps of Royal Engineers, Royal Sappers and Miners, and the Establishment for the instruction of the Sappers and Miners in Great Britain, Ireland, and the Colonies:

278,264*l.* for the expenses of the Royal Regiments of Artillery for Great Britain, Ireland, and the Colonies:

36,105*l.* for the Royal Horse Artillery:

1,226*l.* for the Directors-general of Artillery, and for the Field Train Dépôt:

9,894*l.* for the Medical Establishment of the Military Department of the Ordnance in Great Britain, Ireland, &c.

800*l.* for Officers, Masters, &c., of the Royal Military Academy at Woolwich, after deducting the sum of 3,036*l.* received for the instruction of the pupils:

34,029*l.* for the superintendence of the Ordnance Works in Great Britain, Ireland, and the Colonies.

26,654*l.* for the Ordnance works and repairs, for the Storekeepers and others, after certain deductions.

On this question being proposed,

Mr. *Hume* said, that the Colonial Expenditure ought to be separated from the rest, in order that the House might know what the colonies cost.

Lord *Althorp* was understood to admit, that it might be important to separate the accounts; but that at present it could not be done without the greatest difficulty.

Vote agreed to; as also 27,389*l.* for defraying the superintendence of the building and repair of Barracks in Great Britain, Ireland, and the Colonies—

On the question that 108,130*l.* be granted to his Majesty to defray the charge for the building and repair of Barracks in Great Britain, Ireland, and the Colonies, after deducting the sum of 41,000*l.* for the rents of canteens, &c.

Mr. *Wason* objected to the item in this estimate for building the barracks in the Birdcage-walk, in St. James's Park. The plan was expensive, and objectionable in every respect, and he had received statements which showed that, if the barracks were built, such would be the difficulties of draining and improving the neighbourhood, that land which might be made worth between 3*l.* and 4*l.* a square foot, would be worth scarcely anything at all. The sale of the ground would give the public 500,000*l.*, whilst by building barracks on it the public would lose 250,000*l.* At present, that neighbourhood was rendered unwholesome in the extreme, and dangerous to the public health, from the want of drainage. Whole streets and lanes had their foundations seven feet below the high-water mark of the river, and their cellars were sometimes fifteen feet below the level of high-water mark. Owing to this, and to the bad state of the sewers, the neighbourhood was extremely unwholesome, and the country ought to know the extremely bad situation in which they had placed the metropolitan palace of the Sovereign. If the barracks were erected in the place in which it was proposed to erect them, it would be absolutely impossible to effect any improvement in the drainage of that part of Westminster under a sum of 200,000*l.*

Mr. *Kennedy* maintained, that after the most careful inquiries having been made by the heads of departments, it had been determined, that the proposed site was the only place in which the barracks could be built. It was impossible to drain that part of Westminster without expending sums of money very much larger than the public could grant for many years, and, in the meantime the barracks would be of no disadvantage to the neighbourhood. It was proposed that the barracks should run one hundred and fifty-feet from the Birdcage-walk, and have an enclosed area before them. The site of the foundation of the barracks would be drained, and he could not see that they would interfere with the future drainage of other places in the neighbourhood.

Mr. *Hunt* objected to building more barracks at all, for a reformed Parliament would never suffer any Administration to keep up so large a standing army as that which was now annually voted.

Mr. *Hume* thought the building of more barracks was a very unwarrantable proceeding on the part of Ministers. There were already 183 barracks in England, and 119 in Ireland, making in all, 302. It was not surprising, therefore, that the House was every year called upon to vote such enormous sums for keeping up the barracks of the United Kingdom. An expenditure of 273,000*l.* was annually connected with this service, on account of extraordinary disbursements alone, whilst the ordinary estimates amounted to 37,000 odd hundred pounds. He conceived that, under the circumstances of a deficient revenue the Government ought to postpone the erection of these barracks until a future year, and he did not see what necessity there was to keep so many troops in London.

Mr. *Kennedy* acknowledged, that barracks had been very much multiplied throughout the kingdom, but unfortunately many of them were placed in situations in which they could not be wanted. It was indisputable, that in London there was not a sufficient accommodation for the existing establishment of the four battalions of Foot Guards that were kept on duty in the metropolis. He had himself inspected the barracks at Knightsbridge, and he found that seven or eight of the men were pent up in small rooms, not seven feet high, yet these very inconvenient and unwholesome barracks cost the country 1,000*l.* a-year for rent, and 500*l.* a-year for repairs. The lease expired in 1836, and, though the barracks were calculated for an accommodation of 404 men, the numbers, owing to their inconvenience, were obliged to be reduced to 259. Of the 1,726 men of the Foot Guards kept in London (exclusive of the Tower), the barracks afforded accommodation for only 754 men, so that 972 were in want of barracks. The country was annually put to the expense of 1,000*l.* for the accommodation of men in London who could not be lodged in barracks; and it would be found that a saving of 2,150*l.* a-year would eventually be effected by the erection of barracks in the Birdcage-walk, as the lease of the Knightsbridge barracks would so soon expire.

Mr. *Hume* by no means thought the statement of the hon. Member conclusive. It was not at all necessary to keep so many men actually in London, when there were barracks all round the metropolis. The country had been put to the shameful expense of erecting and maintaining barracks, in England alone, sufficient for the accommodation of 80,000 troops, and, although there were only 50,000 to occupy them, the House was now called upon by Ministers to erect more buildings. He thought the vote a most gratuitous waste of public money.

Lord *Althorp* defended the plan proposed, and said, that the health of the soldier required it. The accommodation in London for the soldier had not been so good as the hon. Member appeared to believe, and it was well known that the loss of life was greater amongst regiments quartered in the metropolis than in others quartered elsewhere. The hon. member for Ipswich had spoken of a plan for improving that part of Westminster, and he seemed to think it might be accomplished for so small a sum as 100,000*l.* He had had a conversation with the hon. Gentleman, a few days back, upon the subject; since which he had employed a Surveyor to make an inquiry, who now estimated the expense at a million of money. This would be a sufficient reason for Government to pause before they engaged in an undertaking so expensive, and so little productive of public benefit.

Mr. *Wason* said, that the noble Lord's estimate of 1,000,000*l.* was ridiculous and extravagant, and he had better name the Surveyor who had reported any thing so preposterous. He (Mr. Wason) was perfectly willing to bear all the expenses of opening a communication between Tothill-street and Buckingham Palace, with a view to the drainage, and the speculation he calculated would put 80,000*l.* into his pocket. All he asked of the noble Lord was, to grant him a bill to enable the owners of property in that direction to dispose of it, and he would undertake the improvement on his own account. The hon. Member read several extracts from Reports to the Board of Health, in order to show the excessively unhealthy situation of Buckingham Palace, and of the locality of the proposed barracks. He concluded by moving an Amendment, that the vote be reduced by 10,000*l.*

The Committee divided on the Amendment:—Ayes 22; Noes 48; Majority 26.

List of the AYES.

Benett, John
Blamire, William
Blackney, Walter
Bodkin, John
Ellis, Wynn
Hoskins, Kedgwin
Hume, Joseph
Hunt, Henry
James, William
Lambert, James
Lefevre, Charles
Marshall, William
Paget, Thomas
Pendarvis, E. W. W.
Strutt, Edward
Thicknesse, Ralph
Torrens, Col. Robert
Venables, Ald. Wm.
Vincent, Sir F. Bart.
Williams, Sir J. H. Bt.
Wood, John
Wood, Ald. Matthew

TELLER.

Wason, W. Rigby

Resolution agreed to, as was also a Resolution granting 59,480*l.* to defray the charge of Barrack-masters' expenditure in England and Ireland.

On the question that a sum of 115,570*l.* be granted for the Ordnance Civil and Military contingencies,

Mr. *Jephson* wished to ask, what would be the cost of the survey, and when it would be completed. He believed, that the amount would be much above 300,000*l.* the original estimate.

Sir *Henry Hardinge* wished to know upon what data that calculation was founded? No blame could, in this instance, be attributed to the Board of Ordnance, either under the present or the late Government.

Mr. *Hume* objected to the vote, because one-fifth of the survey was not completed, although a sum of several hundred thousand pounds had been already expended more than the original estimate. If alterations had been made, it would be necessary to know upon what authority they were so made.

Mr. *Kennedy* said, that in consequence of extending the objects of the survey, an additional expense would be incurred, but no unnecessary expense would take place, or, in fact, would be permitted. No doubt, one-fifth of the map was not completed, but much more than one-fifth of the work of survey was finished; indeed, he could say, that the one-half of it was already performed.

Mr. *Hume* asked, why had any deviation from the original plan been made, and upon what authority?

Mr. *Croker* said, that a Committee of this House had recommended, that the Ordnance survey should be extended to the civil boundaries of counties and townlands. So much in answer to the question of the hon. Member (Mr. Hume). If the Irish survey were executed as the English had been, the expenditure would be wisely made. A false economy should not be resorted to on an occasion like the present, when science and useful information of an unequalled character would be afforded to the country.

Mr. *Dawson* said, that with a view to justice, in every sense of the word, with a view to the county assessments, this survey had become a matter of absolute necessity. If it were desirable to improve the condition of Ireland—and few men could doubt it—he was satisfied this survey was highly desirable; nay, it was more, it was absolutely necessary in the present state of Ireland. He hoped the Government would persevere, notwithstanding the opposition of the hon. member for Middlesex.

Mr. *Davies Gilbert* said, he only rose to bear his testimony to the great merits of the engineers who were employed in the survey of Ireland. Their proceedings were a credit to science and the empire.

Mr. *O'Connell* said, that this survey was highly essential to the interests of every county in Ireland; indeed, a survey like the present would not only be a guard as between proprietor and proprietor, but as to county assessments in general.

Mr. *Stanley* said, that the survey in Ireland was necessary; and, as such, he felt bound to support the proposed vote.

Mr. *Blackney* gave the vote his cordial concurrence, although he must say, that great injury resulted to the public from the cess imposed by Grand Juries in Ireland.

Mr. *Croker* said, that the charge was one upon the empire at large, for the benefit of the people of Ireland. And he could take it upon himself to say, that as far as the science of the survey went, no mistake could take place upon the part of the officers, although it might take place upon the boundaries, which could often be only ascertained upon imperfect evidence.

Mr. *Kennedy* said, they were now within the original estimate, and, if any further estimate were necessary, it would be laid before the House.

Vote agreed to, as were the following:—

58,976*l.* for stores in the Office of Ordnance to the year 1832:

3,633*l.* for expenses in the Ordnance Office:

1,265*l.* for Incidental Expenses in the Office:

293,231*l.* for allowances of Half-pay and pensions of military corps.

28,246*l.* for allowances and compensations for Officers in Ordnance and Widows' Pensions.

House resumed, and the Report brought up.

PARLIAMENTARY REFORM—BILL FOR IRELAND—COMMITTEE—FIFTH DAY.] Lord Althorp moved the Order of the Day for the House to resolve itself into a Committee on the Reform of Parliament (Ireland) Bill.

Colonel *Davies* wished to take that opportunity of calling the attention of the House to a statement which had appeared in the public papers, and which he thought required explanation. It was a statement of what took place on Saturday last at the Foreign Office, where a number of Members of that House had attended to hear an explanation from the Government upon the subject of the Russian-Dutch Loan. In justice to himself, and to his Majesty's Ministers also, he thought he ought to explain to the House, that the statement contained in the papers was not exactly correct. It was stated in the *Courier* of that night, that the feeling of the hon. Members who had attended on that occasion was unanimous in favour of the course pursued by the Government. Now, he could only say, that if he could have supposed that silence would have been construed into consent, he would at that meeting have stated his dissent. He thought, however, that the more regular course would be, to wait until the matter was brought fairly before the House. He could also say, that many other hon. Members entertained precisely the same feelings upon the subject.

The House then went into a Committee.

Sir *Robert Bateson* said, he had no wish to offer any factious opposition to the Bill. He had always been a Reformer, but he wished to apply the pruning-knife, and not the axe. The 10*l.* franchise might work very well in small boroughs, but he thought it too low for large towns. Liverpool was a proof of the ill effects of too low a franchise. In Ireland there were large towns, and he thought the franchise should not be so low as 10*l.*, for it would place the franchise in the hands of the populace, and be the cause of corruption. Belfast was a great and flourishing town, and well worthy to send two Members to Parliament, but he thought the 10*l.* franchise too low. He should propose to represent property rather than people, and therefore he should propose, that the 10*l.* franchise be retained only in small towns; that a 15*l.* franchise be established in large towns; and that a 20*l.* franchise be established in the largest towns and cities, as Dublin, Cork, and Limerick. He should prefer Universal Suffrage to a general 10*l.* franchise. A 10*l.* franchise would induce corruption, but Universal Suffrage would so much increase the number of voters as to render it impracticable. His only object was, to render the Bill as advantageous as possible to Ireland, not to offer factious opposition to the measure. He moved, as an amendment, that in all cities and boroughs with from 300 to 500 houses of 10*l.* annual value, the franchise should be 10*l.*; that in all cities and boroughs with from 500 to 1,000 houses of the annual value of 10*l.*, the franchise should be 15*l.*; and that in all cities and boroughs having 1,000 houses and upwards of the value of 10*l.* annually, the franchise should be 20*l.*

Mr. O'*Connell* opposed the Motion, because, with the exception of Belfast and Newry, no towns remained to be disposed of which would come under its operation.

Amendment negatived.

Clause again read.

Mr. *O'Connell* would not then oppose the Clause, but, on the bringing up of the Report, he would move that the qualification be a yearly payment of 5*l.*

Mr. *Leader* said, he should move, that the householders at *5l.*, who were now voters in the boroughs of Dungarvan, Newry, and Downpatrick be permitted to retain their franchise.

Mr. *Lamb* saw great hardship in depriving those persons, whose numbers were very small, of the rights they at present possessed; but he should certainly object to any extension of the privilege beyond the lives of the occupants.

The sixth Clause, with verbal amendments, ordered to stand part of the Bill.

On the seventh Clause being put,

Mr. *Shaw* wished to know, how it was that the freemen of England, in boroughs and corporate towns, should be permitted to retain their rights for their lives, while those of Ireland were to be disfranchised? In behalf of the numerous body of freemen whom he represented, he must complain of this species of injustice. The Clause was both an insult and an injury to the freemen of Ireland, and he should certainly like to hear why it was introduced into the Bill.

Mr. *Stanley* said, that the monopoly of freemen in Ireland had been used for the perpetuation of sectarian distinctions, and the Government being, of all things, anxious to abolish such distinctions, they therefore took away that privilege in Ireland which they permitted to remain in England, because it had never been abused in England in the same manner. If they were to perpetuate the rights of freemen in Ireland, they should only perpetuate those sectarian exclusions, of which these freemen had been the instruments.

Mr. *O'Connell* would vote for an amendment, should the hon. Recorder for Dublin move one, and press it to a division, as he conceived that the Clause would have an effect quite contrary to that stated by the right hon. Irish Secretary. He thought that the right of the freemen in Ireland should be preserved, as well as those of England. Catholics were entitled to their freedom for the last forty years, and if a clause were inserted to enforce this right, he did not see upon what principle the freemen should be disfranchised. Several corporations had made returns to a mandamus, that the power to admit Catholics was discretionary with them. Make it obligatory, and the evil would be cured.

Mr. *Spring Rice* had often been surprised by the learned member for Kerry's declarations, but never more than by the present one. On a former occasion, the vested rights of freemen in corporations had been loudly condemned, and he had no doubt the hon. and learned Gentleman would have opposed, in the strongest manner, the perpetuity of those rights, if the Bill had contained a provision to that effect. He thought the Committee ought to consider whether the Clause was right or wrong. The principle of the Bill was, to give an adequate representation of property. All distinctions in the exercise of the elective franchise should be done away. If corporations had the power to give the right of voting to persons favourable to certain religious principles, it would be the way to perpetuate sectarianism.

Mr. *O'Connell* said, he would not permit the right hon. member for Limerick to calumniate him with impunity. What right had that hon. Member to make such unfounded assertions as those which he had presumed to make in respect to him? The hon. Member had said, that if the Ministry had adopted a clause for preserving the rights to the freemen he would have opposed it. He denied this assertion, and he flung back the slander to the source from whence it came. It might suit the right hon. Gentleman, who had once defended the freemen of Ireland, to desert them now; but the hon. Gentleman slandered him (Mr. O'Connell) when he said he was ready to adopt the same course. The right hon. Gentleman had done right to desert the people of Limerick so early, for it was not improbable they would have returned the compliment at an early opportunity. He congratulated him, indeed, on his importation to England, and thought he acted wisely, before he made this declaration, to take care to have Cambridge in his rear. He wished Cambridge joy of their bargain, with all his heart.

Mr. *Spring Rice* said, that the example of the hon. member for Kerry should not entrap him into a violation of the courtesies of the House. He had been twelve years in Parliament, and he would appeal to his career during that period, as to whether he had ever acted or spoken on both sides of any question. He admitted the power and the great talents of the hon. and learned member for Kerry, but he would tell that hon. Member, that no fear of either the one or the other would prevent him from expressing his opinions openly and fearlessly in that House. He did not expect such treatment from the hon. member for

Kerry, nor did he deserve it from him. He well remembered that, when that hon. Member was excluded by a legislative enactment from the benefits of the Relief Bill, he stood up and advocated his cause, and protested against that act of injustice.

Mr. *O'Connell* was thankful to the House for the silent manner in which they had received the right hon. Gentleman's intended attack upon him, for the right hon. Gentleman by no means received the cheers which attacks upon him (Mr. O'Connell) usually elicited in that House. He would tell the right hon. Gentleman, without mincing the matter, by way of rejoinder to his assertion that he (Mr. O'Connell) would have opposed the Clause were it the very opposite in principle to the present, that, be that as it might, there could be no doubt that the right hon. Gentleman would have supported that Clause, or its opposite, or any other which the present dispensers of place might propose, sooner than risk his seat at the Treasury. Now, if he (Mr. O'Connell) had said this under other circumstances, the right hon. Gentleman would have pronounced it a gross calumny, and the unfortunate box would have suffered much more severely at the hands of the right hon. Gentleman. [Mr. Spring Rice, while addressing the House, struck one of the boxes which stand on the Table of the House repeatedly, and with considerable vehemence.] Yes, he repeated, the right hon. Gentleman would be as zealous and bustling in his advocacy — thumping the box, and dancing attendance about the Treasury with equal precision—if the King's Government had adopted a clause in the very teeth of that with which he was just now so disinterestedly enamoured.

Mr. *Stanley* said, he would refer the House to a letter written by the hon. and learned Member, in which, after pointing out the advantages of the Irish Reform Bill, he went on to state, that he approved above all of the provision, by which the power of creating an unlimited number of freemen, to swamp the independent voters in towns, was taken from corporations. For that the hon. and learned Member had said, that the Government were entitled to the gratitude of Ireland.

Mr. *O'Connell:* "The Lord has delivered them into my hands." The right hon. Gentleman had undertaken to vindicate his friend, the member for Limerick, and, by way of doing so, he commenced with an attack on him (Mr. O'Connell). He had referred to a letter of his, but in doing so he had certainly exhibited the grossest ignorance in the construction which he attempted to put on it. Now, if the right hon. Gentleman would only take the trouble of reading that letter again, he would find that his objection related to the power of swamping *bona fide* voters possessed by the corporation. He had always supported, and would continue to support, that part of the Bill which took away this unconstitutional power. But the present proposition was not opposed to that provision of the Bill. It was not a proposition to continue such a power to the corporations, but, on the contrary, it would compel them, whether they would or not, to admit freemen. With respect to the taunts of the right hon. Gentleman, they would have but little effect upon him. The people of England had compelled the right hon. Gentleman to make concessions in the Reform Bill, and they would no longer permit the right hon. Gentleman to continue his misgovernment of Ireland.

Mr. *Dawson* rose as a peace-maker. The member for Kerry had inflicted a severe castigation on two members of the Government, and very probably, if those members had time to consider the question in dispute, they would, as they had done before, after similar castigations, consent to withdraw the obnoxious proposition. He suggested, therefore, that the Clause be postponed till to-morrow. The debate had been warm, and he mentioned this purely as a means of making peace between the right hon. Gentleman and the hon. and learned member for Kerry—at least, he intended it to be so.

Mr. *Sheil:* The hon. Member who had last spoken had himself so often received the castigation of the hon. member for Kerry, that he was well qualified to speak upon the subject. He might say,

"Great thou must be,
For thou hast conquered me."

Mr. *Shaw* could not avoid saying, that the Corporation of Dublin had been unjustly accused of partiality. The right of giving the freedom of the Corporation by special favour had never been abused. It had been conferred on distinguished persons, such as Secretaries of Ireland, the Lord Lieutenant, and other meritorious persons, who had never voted for the return of improper candidates. The Clause taking away the right of freemen, he considered an insult to the Corporation and the Protestant interest. It was his intention to divide against the Clause. He conjured the right hon. Gentleman to withdraw it, as all classes of the people were, from the harsh measures of the Government, becoming converts to the necessity of a Repeal of the Union. He was sorry to say, Catholics and Protestants were beginning to be alike convinced that they would receive benefit from the repeal. The hon. Member concluded by moving an Amendment, the object of which was, to preserve the rights of freemen, by making the same perpetual.

Mr. *Henry Grattan* opposed the Amendment, and spoke in defence of the Clause as it stood in the present Bill. He was convinced, indeed, that it would do good by discountenancing sectarianism.

Mr. *Callaghan*, as the Representative of a large body of freemen, was bound to state, that no part of the Bill was more lauded and praised than that part of it which did away with freemen. He had not spoken to a single man who did not approve of the freemen being merged in the citizens.

Mr. *Walker* supported the views of the Government, and thanked the Ministers for what they had done as to corporations.

Mr. *Hunt* said, freemen were the worst class of voters in the country.

Mr. *Keith Douglas* supported the Amendment.

The Committee divided on the Amendment:—Ayes 39; Noes 128—Majority 89.

The Clause, with Amendments, ordered to stand part of the Bill.

List of the AYES.

Agnew, Sir A.
Bateson, Sir R.
Best, Hon. W.
Blaney, Hon. C. D.
Castlereagh, Visc.
Clements, J. M.
Cole, Viscount
Cole, H. A. H.
Copeland, Alderman
Corry, Hon. H.
Croker, J. W.
Domville, Sir C.
Ellis, W.
Ferguson, R.
Fitzgerald, Sir A.
Forbes, Sir C.
Fox, S.
Gordon, J. E.
Hayes, Sir E. S.
Herries, Rt. Hon. J. C.
Ingestre, Viscount
Jolliffe, Sir W.
Jones, T.
Knox, Hon. J.
Lefroy, A.
Lefroy, T.
Martin, Sir T. B.
Maxwell, H.
O'Connell, D.
O'Connell, M.
Pelham, C.
Pemberton, T.
Perceval, Colonel
Pringle, A.
Pryse, P.
Stewart, C.
Thicknesse, R.
Willoughby, Sir H.
Young, J.

TELLER.

Shaw, F.

On Clause 8 being put,

Mr. Ruthven moved, that the Chairman report progress, and ask leave to sit again.

On this Amendment the Committee divided:—Ayes 10; Noes 64—Majority 54.

Mr. *Ruthven* then moved an Amendment for disallowing the additional Member to the University of Dublin. The hon. Member said, that the University was already sufficiently represented, and it would be better to give additional Members to the large counties, such as Cork, with 800,000 inhabitants, or Mayo, than to the University of Dublin, which had very few constituents.

Amendment negatived, and Clause agreed to.

The ninth Clause was agreed to.

The House resumed—the Committee to sit again.

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HOUSE OF LORDS,

Tuesday, July 3, 1832.

MINUTES.] Bills. Read a third time:—Life Annuities Transfer; Ecclesiastical Corporation Lands.

Petitions presented. By Lord SEAGRAVE, from Gloucester, for enlarged Boundaries to that City.—By the Earl of RODEN, from sixteen Places in Ireland, against the Ministerial Plan of Education for Ireland.—By Earl GOWER, from Hartefield, Yorkshire, to substitute Snaith for Thorne, as the Polling Place for the West Riding of that Shire.

FOREIGN RELATIONS.] The Marquess of *Londonderry:* I confess I see with much pleasure the noble Earl at the head of his Majesty's Government in his place, because I want to put to him one or two questions relative to the state of our Foreign Policy, to which, my Lords, my attention has been more particularly called by perceiving that a Special Mission is about to be sent from this country to the Court of St. Petersburg. I cannot but think, my Lords, that an embassy on which so high a personage as the Lord Privy Seal has been sent, must be of the greatest importance. I see that Thomas Duncombe, esq. is appointed Secretary to the embassy, and, perhaps, when the facts are fully known, we shall find that more of the noble Earl's friends and relations are to accompany the mission. But on that point I know it is not proper for me to inquire, though our curiosity may be a little excited by the circumstance that some of the noble Earl's friends, in their over-zeal for Reform, were carried, in the other House, a few evenings since, to the length of applying the strongest and most opprobrious epithets to an illustrious Monarch with whom we are in a state of alliance. I cannot help regretting, my Lords, that such language was indulged in, and that so little recollection exists in the other House of past transactions, for his share in which, the illustrious brother of the Monarch now on the throne of the Russias, had so many claims on our admiration and esteem. I hope, therefore, that the noble Lord is not going out to add to the irritation such language must produce, but rather that he is instructed to soften it down, and to do away with the unfavourable impression it must create. I do not expect, however, that the noble Earl will inform us of the nature and objects of the expedition; but I beg leave to remark to him, that we are arrived at nearly the close of the Session, and that we have not had from him, as yet, any explanation of the state of our foreign relations, which are, in my opinion, in a most difficult situation —in a situation almost as difficult of arrangement as the Reform Bill introduced by the noble Earl. I am justified in thus speaking of our foreign relations at present, for when I look at the continued possession of Algiers by the French, at the continued possession of Ancona by the same power, and the protracted and almost interminable train of the negotiations between Holland and Belgium, I cannot call to my mind a period when our foreign position was more complicated and perplexed. We have been for nearly two years engaged in the Belgian and Dutch negotiation, without having brought it to a close; and the question I wish to put to the noble Earl, is for the purpose of ascertaining what the five Powers have lately done—whether the five Powers have come to any arrangement on the subject, and whether the ratification has been yet received? I also wish to ask if Holland is the only power that has not yet acquiesced? and whether, if it has, there is any probability of the consent of the king of the Dutch being speedily obtained? I put these questions, because I cannot help thinking, that the embassy to the Court of St. Petersburg arises out of fresh difficulties in bringing the arrangement to a conclusion, and I feel it would be right to satisfy the public mind on the subject. I hope, therefore, the noble Earl will give me some satisfaction on these points, particularly with regard to Belgium, on which question I think the peace of Europe depends. I have put these questions on this occasion, but I hope, before the end of the Session, some noble Lord, better acquainted with the subject than myself, will call the notice of the House to the whole foreign policy of the country. Certainly, if no one else thinks proper to do so, I will; and, so far as Holland is concerned, I declare that I shall be happy to take any opportunity of expressing the high admiration which I feel at the gallantry, magnanimity, and manliness which the king of Holland has shown in resisting the demands of the five Powers.

Earl *Grey*: My Lords, I should think the noble Marquess must be aware that I cannot answer all the questions he has put. The noble Marquess has expressed a hope that I should afford him satisfaction, but, my Lords, I despair of doing so. It is not the first time the noble Lord has put questions to me, and, numerous as those occasions have been, I feel that I have never been able to answer him to my own satisfaction or to his. The noble Marquess first adverts to a mission, on which a noble relation of mine is about to depart, and says, he will not inquire into the secret of that embassy; but, scarcely has he said so, when he goes on to comment on the reasons which appeared to him to be so important as to call for the mission. The noble Marquess may indulge his suppositions as he pleases, but it must be evident to your Lordships, and to him, that I cannot say anything on the subject at present; and with that remark I must dismiss this part of the noble Lord's observations. The noble Marquess then proceeds to comment on language made use of in the other House, on a late occasion; but I must submit to your Lordships' discretion, that we are not met here to discuss the terms in which a debate should take place in the House of Commons, and, therefore, I have nothing to do with it. Still, I am not sorry the noble Lord has mentioned the circumstance, as it gives me the opportunity of saying that, whatever may be the feelings of any persons on matters of foreign policy, there is a respect due to foreign powers with whom we are in alliance, which should not be lost sight of in discussions in either House of Parliament. My Lords, I do deprecate all language of that sort, and I think it equally inconsistent with the dignity of Parliament and the interests of the country. It creates difficulties where none exists, and no man can more deeply lament, that language calculated to give offence to foreign Powers has been used than I do. Now, my Lords, with regard to the state of the negotiations between Holland and Belgium, I can only say, that I agree with the noble Marquess when he states, that so long as the question remains open there will be danger to the preservation of the peace of Europe. I have been of that opinion since these negotiations were opened, and I have spared no exertions to bring them to a satisfactory termination, by which the interests of all concerned might be promoted, and the general tranquillity of Europe secured. My Lords, I have to regret that these negotiations are not yet brought to a conclusion. I am very desirous that the moment should arrive when they shall be happily settled; but I cannot enter into the subject more particularly at present, and the noble Marquess must be content with these observations, in reply to the questions he has put. The noble Marquess has thought proper to speak in great admiration of the conduct of the king of Holland. I do not wish to say one word on the subject; but I cannot help remarking, that it is a little extraordinary that the noble Lord, not knowing all that has passed in the course of the negotiations, has taken upon himself to state, that the adverse party—if the king of Holland is to be considered the adverse party, which I do not now pretend to determine—to those Powers, of whom Great Britain is one, has been always in the right, and that the five Powers, Great Britain among them, have been always in the wrong. Whether that resistance be justifiable or not, remains yet to be proved; but it is rather strange that the approbation of the noble Marquess should alone be given to that course which his own Government has been hostile to.

The Duke of *Wellington*, who was imperfectly heard at the bar, was understood to say, that with respect to the conduct of the emperor of Russia, he regretted the noble Earl had not given some fuller explanation, in order that the absurdity of charges brought against that illustrious monarch should be exposed. For his own part, he must pronounce his entire conviction that his Imperial Majesty had performed every article of the treaty to which he was bound, as far as he (the Duke of Wellington) was able to judge.

GRAVESEND PIER BILL.] The Earl of *Darnley* brought up the Report of the Committee on the Gravesend Bill. He regretted that the Bill had met with a similar fate, since its re-committal, as it had before. He must, however, complain of the conduct of noble Peers, in voting against the Bill, without hearing the evidence, from a mere perusal of it, and also that many noble Lords had attended at different periods of the Committee, who were in favour of the Bill, and yet who did not attend to vote. If the votes of each individual Peer who attended the Committee on its different days of sitting, had been registered, there would have been for the Bill fifty-five, and against it only twelve. On the first branch of his complaint, he alluded particularly to a noble and learned Lord, whom he saw opposite. He presumed that the next thing the noble and learned Lord did, would be, to bring in a Bill to enable Juries to give their verdicts on a mere perusal of written testimony, instead of hearing the examination of the witnesses. He was quite sure that noble Lords could not be aware of the great injury which they had inflicted on the town of Gravesend by throwing out the Bill. He was but a young Member of their Lordships' House, but he certainly did not expect to find, that business was settled in the Committees of that House above-stairs in the manner in which he found it to be.

Lord *Wynford* had been so distinctly alluded to, that he could not help rising. He, however, was not one of those who had depended entirely on a perusal of the evidence, for he had attended the Committee two days, and examined and cross-examined the witnesses; but he certainly declined to give his vote until he had made himself a perfect master of the evidence, which he could do only by perusing it. He certainly should not think of bringing in a Bill to enable Juries to decide on written testimony, because a Jury sat only for a few hours; but a Committee sat for a long time, and it was not reasonable to expect noble Lords to attend the business of a Committee, day after day, without intermission. And it appeared to him, that this Committee was formed principally for the purpose of bearing down poor men, who were nearly ruined by the length of time which had been spent by the Committee in discussing this question. It was said that the town of Gravesend would be ruined unless the Bill were passed; why, he asked, how had it existed ever since it had been built, up to the present time? And, even if it were so, he would say, that it was better the town of Gravesend should be ruined, than that the Bill should pass; for it could not pass without exposing the lives of his Majesty's subjects to imminent danger. It might put money into the pockets of a few tradesmen and others in the town; but it would send a number of poor and industrious people to the parish. This was clearly proved by the evidence, and he had only done his duty by giving his conscientious vote against the Bill.

The Marquess of *Salisbury* took a similar view of the case with the noble and learned Lord; and the noble Earl opposite must remember, that an adjournment was moved in the Committee, for the express purpose of giving the noble and learned Lord time to consider the evidence. He protested against the doctrine that they ought not to vote upon written evidence. The re-committal of the Bill had been a severe oppression upon the labouring classes who were interested in opposing it, many of whom had sacrificed five days out of the week to attend the Committee.

Lord *Bexley* thought that, after the expense to which the parties had been already put, this matter ought to be decided upon without further delay.

Lord *Wharncliffe* hoped that the House would not consent to throw any slur on the majority in the Committee on this Bill who were opposed to it. He, for one, should be exceedingly sorry if the doctrine were to go forth, that because any Peer who was on a Committee had not attended during the whole of that Committee, he was not entitled to vote upon the bill they were considering. How often was it that the Committee on a bill lasted for ten days, or even for two or three weeks, and was it to be made imperative on all who were opposed to such a bill to attend the Committee every day it sat? The evidence in the case of the Gravesend Pier Bill had been printed, and he was of opinion, that any noble Lord who made himself master of that evidence was as well entitled to vote as any other, and he thought that great good was often done by such votes. He knew many cases in the House of Commons, as the noble Lord near him would also testify, where persons who had not attended Committees on bills, but who had made themselves acquainted with the evidence before those Committees, had voted on bills, and those votes had proved to be of the greatest importance. The Bill had already received so much consideration from their Lordships, that he thought it could not, with any advantage, be re-considered now that the proceedings on it were closed.

Viscount *Strangford* said, that he went to Gravesend for the express purpose of ascertaining and examining the facts of the case, before he gave his vote on the Pier Bill, and for the purpose of judging, from what he there saw, of the cause of so great a difference of opinion on the Bill. Having taken that trouble, he certainly considered himself as well entitled to give his vote as any noble Lord who had stayed at home at ease. He certainly would admit, that the pier would be a great convenience to the steam-boat passengers, and that a large proportion of the inhabitants of Gravesend were favourable to the Bill; but it was admitted on all hands, that the convenience could only be purchased by the entire ruin of the watermen, and he must say, he did not feel prepared, when called upon to give his vote on the Bill, to pass a measure which would sentence to destruction so large a portion of the industrious classes of Gravesend. One argument in favour of the Bill was, the safety to the passengers from the pier, but, on inquiring into the number of accidents which had happened by the present mode of landing them by boats, he could only find one within the last six years, and that was a jovial gentleman who, on going off in a boat after dinner, had suffered that fate from which their Lordships' House had had so narrow an escape recently, that, namely, of being swamped. He considered that he was pretty sure of being correct, when he acted on the opinion of such men as Sir George Cockburn, Sir Byam Martin, and Captain Bullock. He understood that it had been necessary to remove an obstruction of rubbish which had existed at Woolwich, although the removal was attended with an expense of 150,000*l.* Their Lordships might judge, when that collection of rubbish had formed so material an obstruction, what would be the effect of an obstruction such as this Pier would be. It was averred at Gravesend, also, that the watermen were living on short allowance, for the purpose of saving money to enable them to support the expenses of opposing this Bill. The parties who promoted it were 7,000*l.* in debt, and, by way of paying that debt, they had come to their Lordships' House and asked them to pass this Bill.

The Earl of *Darnley* admitted, that the noble Viscount had represented the case of the watermen of Gravesend very fairly, as constituting the main feature of the objections to the Pier Bill. He was not disposed to press for the recommittal of the Bill, having simply discharged his duty, as Chairman of the Committee, by bringing up the Report.

Report ordered to lie on the Table.

MINISTERIAL PLAN OF EDUCATION (IRELAND).] The Earl of *Belhaven* rose to present the Petition to which he had referred, during the course of last week, as being in his possession, from the General Assembly of the Kirk of Scotland, wherein that body stated their approval of the National Plan of Education adopted by the Government for the instruction, as well religious as otherwise, of the poorer classes of Ireland, both Protestants and Catholics.

The Archbishop of *Armagh* observed, that if he understood the petition rightly, the General Assembly of the Kirk of Scotland approved of the plan of education for Ireland, because it was understood by that Assembly, to be identical with the plan of education which was pursued towards the same class of people throughout the whole of Scotland. If otherwise, that Assembly would be surrendering the great principle of their religion, namely, that the Bible was open to all. How such a misconception had gone forth amongst the persons who composed that Assembly, as that the plan proposed for Ireland was the same as that which was followed in Scotland, he did not know, but all he could say was, that they were totally mistaken upon that point, and did not rightly understand the nature of the plan of education proposed for Ireland. He was not, at that time, however, going to enter into a detail of the differences between the two systems of education, nor to state his objections to that proposed for Ireland: even were he to do so, he could add nothing to the force of those arguments which had already been brought against it. What the Prelacy and Protestant clergy who were opposed to this plan complained of was, not that the Catholics were at the disposal of their priests with respect to their study of the Bible, but that, they being so at their priests' disposal in that respect, the Protestants were deprived of the Bible, and prevented from an unrestricted study of it. He, and those who thought with him, would never consent to teach Protestants that it was proper to keep out of view any portion of the Scriptures; neither did he assent to the necessity for giving them a special license, to study out of school hours that volume which formed the basis of all human happiness. If it was true, that the General Assembly had come forward, fully understanding, at the same time, that the Bible was forbidden during school hours, and addressed the petition before the House in favour of the plan, he could only lament the circumstance, and set it down as an evil sign of the times. But he consoled himself with the thought, that the petition did not embody any such sentiments. The plan of education was at variance with the opinions of most of his brethren of the Irish Church. Of the Prelates of Ireland, eighteen were opposed to it; the clergy were also opposed to it; and it was also deprecated in numerous petitions from all classes, but more particularly from the Presbyterian Dissenters, not only of Ireland, but also of Scotland and England. He saw no reason for making the sacrifice which they were called upon to agree to, nor why, if the Roman Catholics objected to the Bible, it should, on that account, be taken from the Protestants. Allusions had been made to the opposition which the Irish Prelacy had fostered amongst their respective clergymen to this plan, and it had been said, if the clergy were left to their own judgment they would approve of the plan. Now he begged to assure their Lordships, that so far from the Bishops in Ireland being obliged to invite the clergy in their respective dioceses to object to the plan, they were obliged, very frequently, to exert themselves to repress their feelings, and to keep down the ebullitions of their warmth when expressing their objections to the plan. He himself had been at the pains, in his own diocese, to prevent meetings from being held having in view an opposition to the plan, and he was glad to say, he had been successful in his efforts. The noble Lord (Lord Plunkett), in his observations last evening, had stated the increase in the number of applications for schools on the plan, and had cited Mr. Carlyle as a testimony to the fact; but the noble Lord ought, whilst laying so much stress on this circumstance in favour of the plan, to have stated how those applications were got up, in order that their Lordships might judge of the value of those applications. For himself, he could say that he had seen letters, wherein were exposed the delusions which were practised upon the Protestants with respect to the plan of education, and it was under those delusions that they had made their applications for schools. The most reverend Prelate here proceeded to read a letter from the Bishop of Ferns, in support of his allegation, and concluded by expressing his conviction, that the sentiments of the people generally were to be ascertained more correctly from their petitions, than by any reference to the number of applications for schools under the Government plan.

The Duke of *Wellington* felt no surprise at the sentiments expressed in the petition of the Assembly of the Kirk of Scotland; and he admitted, at the same time, that there was no body of persons in the kingdom better calculated to form a just opinion upon the subject of their petition, than that from which it had proceeded. But he must, at the same time, beg leave to say, that he concurred entirely in the opinion of the most reverend Prelate who had just spoken, namely, that the General Assembly of the Kirk of Scotland was not accurately informed upon the subject of the new plan of education for Ireland, at the time that the assent of that body was given to the petition. He knew that there was, in general, no time so uselessly spent in that House as in discussing the way in which petitions were got up; but, in the case of the present petition, there had been a considerable misapprehension on the part of the General Assembly, and his attention having been drawn to it, he deemed it necessary to bring it before their Lordships. It appeared that at the meeting of the General Assembly, at which the resolutions upon which the petition was founded were proposed and agreed to, the Solicitor General for Scotland, who is a member of that Assembly, as well as an officer of the Government, got up and stated, that he had received certain official letters from a gentleman who was also in the service of Government, and who was in a situation where he was most likely to be possessed of accurate information on the subject of Ireland—he meant the Chief Secretary to the Lord Lieutenant of Ireland. It appeared that hitherto the General Assembly had only possessed that knowledge of the plan of education which was possessed by their Lordships, the House of Commons, and the public at large. The letter to which the Solicitor General referred, as having been officially received, purported to be from the Chief Secretary of Ireland, and he would refer to the proceedings in the Assembly, in order to show that that body was not before aware of the real plan of education, if even they could be supposed to be so after they had heard the contents of that letter. The noble Duke here referred to the proceedings of the General Assembly, as reported in one of the Scotch papers. An Elder, of the name Dr. Duncan, asked the Solicitor General to explain the nature of the plan of education, as he did not mean to foreclose himself from expressing his dissent from it. The Solicitor General then explained, that one part of the plan, as stated by the right hon. Secretary for Ireland, was, that he (Mr. Stanley) saw no objection to the establishment of a Bible class in every school which was conducted on the Government plan; that class to be held once a day, for the express purpose of reading the Bible, and at which the Protestants were to be compelled to attend, but the Catholics were not to be forced to give their attendance. The Solicitor General then said, that he wished the General Assembly to understand, that this explanation of the plan did not rest upon one, but upon several communications from the Chief Secretary of Ireland. Now, after the Solicitor General had given this information to the General Assembly, a resolution was proposed by Dr. Cook, which was founded on that communication of the Solicitor General, and which would be found embodied in the petition to the House. Thus it appeared, that the approbation of the plan of education, by the General Assembly, was solely obtained in consequence of their belief that there were to be Bible classes in every Government school. Now, he (the Duke of Wellington) understood that Mr. Stanley had not arranged the system on the plan stated to the General Assembly, nor was he aware that there was any intention to do so, and yet it was on that statement that this petition was founded. He certainly agreed that all comments on the petition had better be avoided, but his attention having been excited by the document to which he had just referred being put into his hands, he thought it but just to the General Assembly to give this information to their Lordships. The subject, to be sure, was a most important one; it was no less than the education of a whole people, and the Board of Education had solemnly declared, that no system could be a proper one, as a plan of national education, that was not founded on the whole of the Scriptures as the rule for doctrine and morals. It was not the meaning of the General Assembly that the Scriptures should be taught out of school hours. Its meaning was, that the schoolmaster should teach the Scriptures in the schools, and that the Protestants should be obliged to read the Scriptures. It was not to be a matter of choice, but of obligation, and that was the meaning of the petitioners. They had an Established Church, and the clergy had the care of the national education, and that education ought to be founded on the Scriptures, and the whole Scriptures. But, in the new system, the reading of the Scriptures as a whole was prohibited.

The Earl of *Belhaven* said, he did not rise to answer for the proceedings of the General Assembly of the Kirk of Scotland, or to give an account of what passed there, for he was not a member of that body, and, consequently, could not state what took place on the occasion to which the noble Duke alluded. It appeared to him, however, that the noble Duke was in error when he averred that the Solicitor General stated himself to have received a communication from the Chief Secretary for Ireland. He believed the Solicitor General said no such thing; he alluded to a letter which had been received by another individual, a member of the Assembly; but he did not at that time say it was an official letter, and he simply stated the contents of that letter, in order that they might serve as an inducement, or rather a foundation, for some of the proceedings of the General Assembly that day. The letter merely stated, that the Government had no objection to the formation of Bible classes in the schools; and the petitioners, adopting that principle, agreed in the propriety of granting to the Protestants the fullest liberty in the use of the Bible, and also in its being daily read in the classes. The letter, therefore, nowhere stated that compulsion was to be used to form those classes, nor could the noble Duke make out that the General Assembly entertained any idea that the schoolmasters were to use compulsion towards forming these Bible classes. There were no Catholic schoolmasters, and, although a Catholic might attend those classes if he liked, still he was very sure no schoolmaster in Ireland would ever think for a moment to enforce upon any Catholic, an attendance at a class where the Bible was indiscriminately read. He understood the Chief Secretary to say, that the Government had not any objection to the formation of Bible classes in the schools, but that those classes were not to be formed during school hours—they might be held either before or after, but were to form no portion of the common duties of the school. That arrangement would be satisfactory, so he understood it, and so he believed the General Assembly understood it; and if such should be the general impression in the minds of the persons composing that body, he certainly saw no objection to the Government encouraging the establishment of those classes in the schools in Ireland.

The Bishop of *Exeter* begged to trespass for a short time upon their Lordships' attention. He had been authorised by more than one member of the General Assembly to state, that the impression under which they had drawn up a petition was, that there would be a Bible class established within the schools. The petition then before their Lordships was the result of an amendment, moved upon a resolution of the Solicitor General, by Dr. Cooke, of which amendment the Solicitor General said, that it was so identical with his own resolution, that he begged leave to withdraw his own motion, and to second that of Dr. Cooke. It appeared, therefore, that the petition had the full weight of the Solicitor General's authority; and, to do justice to that authority, it was right that he should state to their Lordships what, he was authorised by a most respectable member of the General Assembly to say, was the purport of that learned gentleman's declaration. "Certain communications, it was said by the Solicitor General, had lately been made to him, as well as to many other gentlemen, by his Majesty's Secretary for Ireland, from which it appeared, that Mr. Stanley had no objection whatever to the establishment of a Bible class in these schools, for the express purpose of reading the Bible every day, at which all Protestant children should be compelled to attend, and the Catholic children permitted and encouraged, but not forced to attend. This statement was made by Mr. Stanley, a member of the Cabinet, not only in one, but many letters, and to many gentlemen equally in Mr. Stanley's confidence as he (the Solicitor General) was, and he was not more certain of his own existence than that that virtual obligation would be honestly and regularly fulfilled." After that declaration, the General Assembly understood that they had received an assurance, that a daily Bible class was to be established in all the schools under the Board of Education in Ireland. Had not this been their full and confident persuasion, a petition of a very different tenour would have been sent to that House. But, to the astonishment of the petitioners, it had since appeared that the Solicitor General was unauthorized in giving the assurance. Mr. Stanley had denied having given any pledge or promises to the effect stated; and it seemed that, not only was the statement of the Solicitor General denied, but the object of the petition was refused. There was, it appeared, to be no Bible class in these schools. He could tell their Lordships, on the authority of one of the most respectable ministers of the Church of Scotland, that very strong feelings were entertained by that Church with respect to the course pursued by his Majesty's Government upon this question. He was authorised to read a letter received by an hon. friend of his, a Member of the other House of Parliament, from that gentleman. To any member of the Government he was ready to show the letter; but there were some strong phrases in it which he certainly would not read, were it not necessary to make their Lordships acquainted with the impression which had been made on the Scotch Church:—the writer said, 'My 'object was, to put you in possession of 'another document, showing the impres'sion of the members of the Assembly on 'the subject of Irish education, and of the 'Solicitor General's trickery. I presume 'the member of the Assembly you allude 'to, as giving you the true state of feeling 'in the Assembly, was my acquaintance, 'Mr. ———. His impression is entirely 'the same as my own, and as that of every 'member of that Court with whom I have 'had an opportunity of communicating. 'A clergyman of the highest respectability 'in Edinburgh, in writing to me the other 'day, says, "I cannot tell you how I am 'grieved and mortified, and even ashamed, 'to see in the votes of the House of Com'mons 'Petition of the General Assem'bly of the Church of Scotland, in favour 'of the Government system of education 'in Ireland.' I think it incumbent on 'every honest-hearted Presbyterian to re'iterate these neglected and misrepresented 'petitions which have already been sent, 'and to add double emphasis and force to 'what has been already too faintly and 'feebly expressed. The trick perpetrated 'by the friends of Government here entails 'on them indelible disgrace." I do con'fess to you, that I am much of the same 'opinion, and I am inclined to think, that 'the trick, as my friend calls it, will recoil 'on those who were guilty of it. I think 'it likely that, unless Government give a 'pledge of some kind that they will carry 'into *bona fide* effect the assurances of the 'Solicitor General, petitions embodying 'these assurances will pour in from Pres'byteries in every quarter of Scotland. I 'may confess to you, my dear Sir, that I 'feel more deeply on this subject, as I 'have all along been as strenuous a sup'porter of the cause of Reform, and of the 'present Ministry, as my clerical character 'permitted; that is, I gave them my good 'wishes and my prayers; and, for some 'influential individuals among them, I en'tertain a personal friendship which can 'only end with my life. The disgrace, 'therefore, which attaches to this trans'action, I feel in some degree reflected on 'myself.' Such, was the language of one of the most respectable ministers of the Scotch Church. It confirmed what he had said of the petition being adopted in error, and not doing justice to the feelings of the General Assembly. The petition was different from those which had been presented to the House from the various Presbyteries in that part of the United Kingdom. They all, without exception, breathed a warmer and more earnest spirit than was evinced in the present petition. He would beg leave to quote part of one to their Lordships:—'It is not the only objection of the petitioners to the exclusion of the Bible as 'a daily class-book, that it exposes the 'children who attend the schools, and 'more especially the children of the Protestants, to the privation of Christian instruction: however this might be compensated on separate days, or by special 'arrangement, the petitioners still confess 'their strong repugnance to such a proscription of the Bible by British law; 'and that, not because of its literary unfitness for the purposes of education, but 'because of its religious unfitness, in the 'eyes of Roman Catholics, for the free use 'and indiscriminate reading of the people; 'the petitioners do not object to a book 'of Scripture extracts for the purely 'educational object of easy reading or of 'adaptation to the gradual advancement 'of the scholars, but only such a compilation when given, not as a specimen of 'the whole, but as a substitute for the 'whole. However indefinitely near in 'spirit and substance the proposed abridgment can be brought to the original Bible, the petitioners regard it as a serious 'infringement on right principle, that the 'one should be made exclusive of the 'other—that a message intended by God 'for every creature under heaven should 'be altered in the least, with the view of 'making it palatable to any priest, or to 'any people. The difference is a vital one 'when the sacred lessons of each day are 'drawn from a book admitted into schools 'because priests have sanctioned it, instead 'of being recognised as drawn from a book 'which neither priests nor people might 'dare to meddle with.' That was an extract from the petition of the Presbytery of Edinburgh, and it was understood to have proceeded mainly from the pen of that distinguished man, Dr. Chalmers. The petition stated, that the petitioners having had their attention directed to the proposed system of national education for Ireland; and having been led to expect that a modification of that system would be adopted, they hoped that it might be such as would authorise the use of the Bible as a daily school book, in all the schools under the control of Government. The right reverend Prelate referred to several petitions, reading short extracts from them, to substantiate his assertion, that the General Assembly had proceeded upon a misundsrstanding, and that the petitioners generally, from all parts of the country, were opposed to any scheme of national education which excluded any parts of the Bible. After entering at considerable length into these petitions, the right reverend Prelate said, he trusted he might then be allowed to recur to some observations of a noble and learned Lord, and of the noble Marquess, and he confessed he had heard them with some degree of surprise. The noble Marquess had said, that the children would learn, by the unrestricted study of the Bible in schools, all the objectionable parts of the Bible. He (the Bishop of Exeter) assented to the correctness of some part of the remarks of the noble Marquess, but to the adoption of the phrase "objectionable parts" he could not agree, because he thought it impossible to allow that any thing contained in it embodied any impropriety. He presumed, however, that the noble Marquess did not imply that any part of the Scriptures were objectionable in themselves, but only objectionable to the Roman Catholics. [The Marquess of *Lansdown* assented.] He was only doing justice to the noble Marquess by making that remark, but he must be permitted to add, that the noble Marquess was mistaken in supposing that a Scriptural education would be given under the new plan. It must be borne in mind, that moral and literary education was to be bestowed on the scholars during four or five days of every week, and that, during these days, Scriptural instruction was not to be combined with the moral and literary education. It was true that a volume, or a part of a volume, had been prepared for the use of the scholars, of which, by the courtesy of the noble Duke at the head of the Board, he had a copy in his possession. It was compiled from the Scriptures, but was not exhibited in the original form, it was neither according to the authorised, nor the Douai versions; other matter was mixed with the Scripture; and it was especially provided, that it should not be given to the children as the Scriptures, because that would be opposed to the great principle of the Roman Catholic Church, according to what the Roman Catholic Prelates themselves had sworn. Dr. Kelly, Roman Catholic Archbishop of Tuam, said, in his examination before the Commissioners of Education Inquiry, in 1825, "Every thing given as Scripture from a version not authorised by us would be objectionable." Dr. Curtis, Roman

Catholic Archbishop of Armagh, being asked by the Commissioners, "Would it not be possible, that on both sides we should agree on a certain paraphrase, which should alter the text very little, and possibly keep up the spirit, which should not be, in the opinion of either Protestants or Roman Catholics, the Scriptures, but a paraphrase, as close as possible?"—answered, "Anything more than a paraphrase, in which we all agree, cannot be admitted without offence." Thus their Lordships would perceive, that even extracts of Scripture, if offered as such, were inadmissible. But no books were yet provided. The Board had been in existence for nine months, and had produced this small fraction of a volume. The Commissioners, indeed, were required to pursue a very different course. In Mr. Stanley's letter, which explained the foundation of the Board, and prescribed its duties, it was implied, that the Commissioners were to devise a system of instruction suitable to all sects. That had not been done, and the only book which had issued from the Board, beside the fraction of a volume he had referred to, was a new edition of the Decalogue, which, to his astonishment, was required to be stuck up in every school; for, though it proceeded from a Protestant Government, it was not framed according to the interpretation of the Protestant Church. In this new edition of the Decalogue the Second Commandment ran, instead of, "Thou shalt not make to thyself any graven image," &c., the version ran, "graven thing." Now, it might be well to have had a version of the Commandments written agreeably to the Roman Catholic doctrines, and another in conformity with those of the rules of the Established Church of England, but it was most improper to depart from the authorised version of the Church. Again, in this Decalogue, the Commandments were not divided—the children were allowed to make the division as they pleased. This Catechism, then, was the last amongst the achievements of the modern liberals. They had retrenched the Bible, and reformed the Decalogue. The noble Duke at the head of the Board had praised the facilities afforded for religious education by setting apart separate days for that purpose. But there were no teachers provided for that purpose; it was left to the clergy, and, if he understood rightly, the condition of Ireland, the want of roads, and the distance the clergy lived from one another, placed physical obstacles in the way of their doing this duty. If, however, it were once conceded that it was, or ought to be, a leading feature in any system of education, that religion, or the free use of the Bible, should form the fundamental principle upon which that education should be based; it was then necessary that teachers should be appointed to afford that instruction, which must the more indelibly impress religious feelings on the minds of the children. The late Archbishop of Dublin had said, that he could not see how far opinions so differently amalgamated could be brought to reconcile the religious feelings of Protestants and Catholics, in respect to a system of combined education. Supposing, however, that a number of those schools were established in every parish in Ireland, and that it was admitted, in the first instance, that the clergymen were the fittest persons to superintend the religious instruction of these children (and he was quite sure that, if they did so undertake the task, they would perform their duty most conscientiously); allowing this to be the case, he would then ask, how would it be possible for the clergyman to attend all the schools, in widely-spread parishes where every parish would contain a number of schools? In some parishes there were eight or ten schools, and how could one clergyman attend them all? The thing was impracticable; for their Lordships must recollect the great disproportion of the number of parishes in Ireland as compared with those of England. The proportion of parishes in Ireland in respect to England was one in ten, and that, he repeated, placed insuperable obstacles in the way of the clergymen teaching religion at those schools. He saw no means of accomplishing that object but by following the recommendation of the Commissioners of 1824, and appointing a Protestant and a Catholic teacher to each school. The noble and learned Lord said last night, that he congratulated the House and the country upon the opposition which had been made to this measure. That noble and learned Lord had said, that such was the success of the plan adopted by his Majesty's Government, that it bore down all opposition. He had informed their Lordships that 600 applications had already been made, and that a great number of these applications were made from Protestants, and many also from Roman Catholics.

Now, what the real fact was would soon be made to appear. He trusted he should have some opportunity hereafter of calling the attention of their Lordships to this part of the subject, as certain returns had been moved for, nearly a fortnight since, respecting these very matters, which would have given much further information. He regretted the circumstance, but, at the same time, he meant to impute no blame to any person. But it appeared from the documents which he had seen, that the applications for schools did not amount to 600, but to 452, of which number only twenty-seven were from clerical persons, or rather persons called clergymen. He said "called clergymen," because the term had been adopted in respect to all teachers, whereas he contended that the term clergymen applied only to those who were the ordained clergy of the Established Church of England and Ireland, or Scotland, or Roman Catholic priests. Of the class of clergymen of the Established Church, not more than seventeen had applied; of which number, some of the parties were not connected with the parishes for which they applied. But with respect to this system he would make some further observations. One of the main objects of the system was, to unite all the children of the different persuasions that existed throughout Ireland. This scheme, consequently, related to parishes in which there were clergymen to take charge of the education of the poor, and the Board, if it could in any place get but one signature of a clergyman, might apply for a national school to be established in every parish in the kingdom. The only object and principle of the Board would be to get the funds of the country, in order to apply them to the instruction of the children of Roman Catholic parents. He was desirous of pursuing the subject further, for it was one of the highest importance, and it pressed immediately upon the best interests of the United Kingdom; but as the present was only the occasion of presenting a petition, he would refrain from trespassing any longer on the time and attention of their Lordships. He could not, however, refrain from saying, that it was a most alarming crisis, a truly tremendous symptom of the times, when a national system of education could be founded upon a plan of separating the literary, and even the moral, instruction of the people from a knowledge of their religious obligations. He would only beg leave to ask, what was meant by the moral instruction of the people? He conceived that moral instruction not only ought to impart a knowledge of every man's duty to his fellow-beings in this world, but a deep feeling as well as a knowledge of his relation to the Supreme Being, and of his hopes of a future state. He would ask, could any such instruction be true which was not founded upon the basis of God's words—upon the basis of the will of the Supreme Being? And where could this be known if instructors would not look at the Word of God with which he had inspired the holy men of old? In what utter ignorance of all such important truths would the people of Ireland be brought up, if, in the system of national education, there were not the essential characteristics of the Christian scheme, by which all men knew, and most thankfully acknowledged, that their relations to God were not merely the relations of a finite creature to its Creator, but likewise the relations of a fallen creature to its Redeemer, and of a corrupt creature to its Sanctifier. How, he would again ask, were the poor to be taught these great and sacred connexions, if the word of God itself were to be excluded from the system of education, as far as Protestants were concerned, whilst with respect to the Roman Catholics, they were to be consigned to those whose principle it was, that it was a bad mode of teaching religious duties to teach them by the Holy Scriptures? He would trouble the House but briefly with an extract to show what were the opinions of Dr. Doyle upon the subject. Dr. Doyle had said, that he considered that the children of the Irish peasantry would be much better instructed in the morality of the Gospel, by giving them religious books than by giving them the Scriptures themselves to peruse; and that he did not consider the teaching of the Holy Gospels of Christ to the poor to be one of the highest and most valuable distinctions of the Christian religion. Dr. Doyle had added, that he conceived that the poor would be best taught by religious books, and not by the book of the author of their religion. "I prefer," said Dr. Doyle, "books of morality, in which the rules of life are explained and inculcated, to the Holy Gospel itself, and such books I have endeavoured to circulate in my diocese." These, he begged leave to remind the noble Lords, were the sworn statements of the opinions of a Roman Catholic Bishop of Ireland, statements given before a Commission appointed by the Sovereign to inquire into the mode of instructing the poor of Ireland. As the subject before the House was only the presentation of a petition, he would not further trespass upon their Lordships, but he had felt himself called upon by a sense of duty to bring before the House the facts and observations to which he had called its attention.

The Earl of *Haddington* did not rise with any design of occupying, except for a short time, the attention of their Lordships, but he could not refrain from making a few observations upon one part of the case, on which there appeared to prevail much misconception, and which, from circumstances he was enabled to clear up. He had been within the last fortnight in Scotland, and he had, consequently, had an opportunity of informing himself correctly of all that had passed in the General Assembly when the subject of the present petition had been brought forward. He felt, therefore, that it was no more than just and fair to the noble Duke, that he should add the corroboration of his testimony as to the correctness of the statement which the noble Duke had made to their Lordships. It was a fact, that when the plan or system of his Majesty's Ministers, for establishing a scheme of national education in Ireland was first made known in Scotland, it occasioned a very strong excitement throughout the General Assembly in that kingdom, and it was intended to move a set of Resolutions, similar to those which had been moved and carried in other Clerical Courts in Scotland, and which condemned the whole design and plan of his Majesty's Ministers. When, however, his Majesty's Solicitor General for Scotland had made the statement which he had that night in the House been represented to have made, the excitement was certainly calmed, and it entirely subsided. It became the opinion of the General Assembly that if in each school there were established a daily class of scriptural instruction for the Protestant children, from which the Roman Catholic children should not be excluded, but to which they should not be compelled to attend, there could be no possible objection to the present petition being presented to Parliament. Dr. Cooke had, therefore, moved the resolutions upon which the present petition had been signed. But the petition was an approbation of a plan totally distinct from that which his Majesty's Ministers now wished to carry into execution, and on this ground the General Assembly of the Church of Scotland was censured. The views of the General Assembly had been strictly in conformity with the Act which they had passed in the year 1794, and an extract of which he would now beg leave to read to their Lordships:—'All 'parochial schoolmasters and other teach-'ers of schools shall cause the Holy Bible 'to be read as the regular exercise of the 'school, and the Ministers of the different 'parishes shall visit the schools, and there 'shall likewise be regular Presbyter visita-'tions throughout the year.' When the General Assembly had been led to believe, by his Majesty's Solicitor General, that it was the intention of Government to establish such daily Bible classes in the national schools, it was not at all surprising that the excitement which had previously existed in the General Assembly should be calmed, or that the Assembly should agree to the petition which had that night been presented to their Lordships' House. It was not possible, by any contrivance, to construe the petition into an approbation on the part of the General Assembly of Scotland, of the plan of national education which Ministers were now carrying into effect. If the General Assembly had not been entirely misled and deceived by the speech of his Majesty's Solicitor General, they would have sent up a very strong and decided petition against the plan of Government. He had occupied the time of their Lordships to a greater length than he intended, but he certainly did feel very desirous that the opinions entertained upon the subject by the General Assembly of Scotland, should not be so mis-stated and misrepresented as they had been in that House.

Lord *Plunkett* would repeat the statement which he had made upon a previous evening, that the applications in favour of the Government plan from Ireland had already exceeded the number of 600. Already were there 125,000 boys in progress to receive education in the national schools about to be established by his Majesty's Government, and this number exceeded what had been taught by the Kildare-street Society for many years. He entirely and cordially concurred in the principles laid down by the noble

Duke, that no system of education could be considered as a national system if it were founded upon abstract principles of morality, without reference to the principles of revealed religion. He would even go further than the noble Duke had gone, and lay down as a first principle, that in this country no scheme of national education could benefit the people if it did not include the doctrines which gave them the opportunity of being made acquainted with the duty which they owed to their Creator, and the knowledge of which was to be acquired by a study of the Gospel. He would maintain, that in every system or scheme of national education, let it emanate from whom it might, religion, according to the essential doctrines of Christianity, must be brought in aid of the principles and precepts of morality. But still, notwithstanding this, no man was more firmly convinced than he was, that it was most desirable to have a system of national education which could include every class and persuasion of subjects throughout the United Kingdom. In that part of the kingdom where a vast majority of the people were of the Roman Catholic persuasion, it appeared to him obviously essential, not to introduce into the schools any elements which should have the effect of excluding the Roman Catholic children from the benefits of the education, which those schools were intended to diffuse for the safety and welfare of the kingdom in general. No man could deny, that to the people of a country situated as Ireland was, great would be the benefits of a moral education, and great likewise would be the advantages of literary instruction, and these would be infinitely enhanced if they could be taught consistently with the religion of each of the Christian sects, so that no denomination of Christians should be repelled from the national schools. It must be the wish of every well meaning and sensible man that the national system should be made the foundation of national concord, and the means of bringing a hostile and inflamed people within the pale of civil society. Was it not a most fearful thing to say, that you could not give the people the benefits of the Scripture, unless you closed against them the book in which were introduced the extracts from the Gospel? The reverend Prelate did not appear to complain of the book of extracts itself, and he (Lord Plunkett) had received copies of the books to be used in the national schools, and he found that not less than nine of them had been adopted from the books which had been actually approved of and used by the Kildare-street Society. Books circulated in the Roman Catholic schools had likewise been used, and he was happy to say, that the Roman Catholic teachers had cheerfully submitted to every alteration which had been suggested or proposed by the Protestant Board. With respect to the opinions which might be entertained of the national schools in Scotland, he must be permitted to observe, that the circumstances of Scotland and Ireland were totally different. The one was a country altogether Protestant, whilst in the other the great majority of the population was of the Roman Catholic persuasion. In one country the different sects were in harmony, whilst in the other they had long been divided; and it was now the general wish to unite them in habits of social concord. The noble Earl opposite (the Earl of Haddington) had acknowledged, that the General Assembly of Scotland would consent to the scheme of national schools upon one condition, namely, that in each school there should be established a daily Bible class. He would only observe to the noble Earl, that every member of Government was of opinion that the Bible might be taught in each school every day out of school hours. They concurred that in the common school hours all should have the benefit of common scriptural instruction, whilst at other hours each sect should have afforded to it every means of scriptural instruction, according to its own wishes, principles or notions. With respect to the observations which the right reverend Prelate had made against the Roman Catholic teachers, he (Lord Plunkett) was able to speak positively on the subject, and he would assert, that they formed an assembly of as respectable teachers as any in the empire. Another objection had been made, that in one of the books of extracts, in the quotation of the Commandments from the Book of Exodus, the word "Thing" had been substituted for the word "Image." So far from this being any stumbling-block, it had been agreed that three boards might be put up in the schools, one with the word "Image" and one with "thing" and the third containing an account of the difference between the two religious creeds on this subject. When such was the case, he saw no objection whatever to the expression.

The Bishop of *Exeter* said, that he did not object to the form in which the Commandments were drawn up of itself, but only because it professed to be according to the formula of the Church of England.

Lord *Belhaven* expressed his firm belief that his learned friend, the Solicitor General, had not been guilty of the conduct which had been imputed to him.

The *Lord Chancellor* said, that the observation just made by his noble friend almost superseded the necessity of his saying a single word; for his only object in rising was, to vindicate his learned friend from the charge brought against him, not by the right reverend Prelate, but by his correspondent, whose letter he had read extracts from. The long polemical discourse with which the right reverend Prelate had indulged the House, after the attack upon his learned friend, might, perhaps, have drawn the attention of the House from that circumstance. He could not help thinking, that of all the persons who heard the right reverend Prelate's speech, not one, even of those who most approved of its contents, could entirely approve of the time which he had selected for its delivery; and he could not help thinking, that no noble Lord would feel inclined to follow the right reverend Prelate's example. With respect to the author of the letter from which the right reverend Prelate had read some passages, he would take upon himself to say, that if he were of the respectable character described by the right reverend Prelate, he would be disposed to lament, rather than to rejoice, at the use which had been publicly made of his most hasty, ill-advised, and utterly inaccurate expressions. The right reverend Prelate said, that the author of that letter gave the Government his prayers; if so, he bestowed them in private, whilst he commissioned another to vent his slander against them in public. Every one who was acquainted with the high character of his learned friend, the Solicitor General of Scotland, must know that he was utterly incapable of the conduct which had been imputed to him. The Solicitor General was celebrated at the Scotch Bar for the exact accuracy of his statements. He was, indeed, over-scrupulously accurate. This circumstance alone was sufficient to convince him, that his learned friend had never made the statement respecting the letter attributed to Mr. Stanley, because Mr. Stanley never wrote any such letter. Perhaps he had stated enough to show that the charge brought against his learned friend was unfounded; but it fortunately happened, that the charge having already been ventilated in the public prints, some high legal authorities in Scotland, who were present on the occasion referred to, had written to him to state, that the Solicitor-General made no such statement as that which had been attributed to him. He was, fortunately, able also to confirm his own statement by the written communications of persons who were present. He therefore took it to be absolutely certain, that, on no better authority than an erroneous report in a newspaper, in a country where, be it observed, reports were not so correct nor accurate by a great deal as they were in this country, where reporting was more of an art, better practised, and better understood, and more skilfully exercised than in Scotland — where, instead of debates every night, as their Lordships knew to their cost was the case here, there was merely a discussion in the General Assembly three or four times in one month only during the whole year— upon no better authority, he repeated, than a report taken under these circumstances, was the charge founded, that his learned friend had attempted to practise a trick. He could have wished that, before the right reverend Prelate brought forward a charge of that nature, the right reverend Prelate would have profited by past experience. The right reverend Prelate, or rather his correspondent, had attributed to the Solicitor General a trick, in order to accomplish a particular object. Not many months ago, the right reverend Prelate charged some member of the Government with having been guilty of a very gross abuse of official duty, in betraying the confidence reposed in him by, he would not say how high a personage, and with having given for publication in a newspaper, a confidential letter, written by a noble Duke to the King. That charge was indignantly denied; it was indignantly denied by every member of the Government then present in the House. It turned out, however, that not only no member of the Government who had a seat in that House published the letter — not only that it was not published by any of their colleagues in the other House, nor that they were not cognizant of its publication—not only that it had not come from the Treasury, whence it was hoped that it might be traced to proceed, nor that the Foreign Office was polluted with the stain of breach of trust to the Sovereign—nor that it had found its way into the paper from the Admiralty, nor from the Exchequer, nor from any other department of the Government; nor even from the Lord Chancellor himself (he thanked his noble friend for reminding him that he had forgot to protect a place nearer home), but that, actually, nobody had published it at all—that there was no *corpus delicti*, as the lawyers said—that the offence had never been committed by any body—that there was no principal, because there was no offence—no accessory, because there was no principal—no privity, because there was nothing to be cognizant of. When the letter which appeared in the newspaper, was compared with the letter that was written—and he could assure their Lordships that it was most carefully compared within twenty-four hours after the charge made by the right reverend Prelate, because, from the confidence of the assertion of the right reverend Prelate—from his statement, that the letter was copied *verbatim*—Ministers were led to suspect, that what was known to have happened before had occurred again, namely, the trick (it might, indeed, be so called) of using a Cabinet key to open a Cabinet box. When people heard such assertions confidently made, they could not suppose that there was no foundation whatever for them; and that the right reverend Prelate might as well have dreamt of the circumstances which he had stated, for all the truth there was in them, for no facts ever happened corresponding to the right reverend Prelate's assertions. But, after these assertions, it could not be believed that not a line, nor half a line, nor even a single word of the original letter—for the communication of a single word would have been as much a breach of confidence as the publication of the whole letter—had ever been published, or was contained in that letter which appeared in the newspaper. Upon the most minute investigation it turned out, that there was not a shadow of foundation for the right reverend Prelate's charge. The writer of the letter in the newspaper came forward, and declared publicly, that he had no more knowledge of the letter, than he had obtained in conversation in society, and that he knew nothing of its substance, and much less of its words. He was really quite happy that the right reverend Prelate had afforded him an opportunity of refreshing his memory with respect to this notable passage in his Parliamentary life, short though it had been. The right reverend Prelate would excuse him for telling him, that if his Parliamentary life should be extended to as great a length as he himself could desire, it would never furnish a more remarkable passage. He had thought it necessary to say thus much, in vindication of a learned person who was absent.

The Duke of *Wellington* said, he had thought it his duty to state what he had stated, and nothing he had heard had at all shaken his opinion.

The Bishop of *Exeter:* In the matter referred to by the noble and learned Lord, he had not given his own opinion; he had only said that such things were stated. The noble Duke not then in his place, (the Duke of Buckingham) got up in his place, and said, that the statement was correct, and, having only mentioned it as stated by others, he did not conceive himself responsible for it.

The *Lord Chancellor* said, the right reverend Prelate might have stated only what he heard, but he should have made his statement with more caution. The right reverend Prelate had distinctly stated, that there had been a breach of confidence in some office of Government, by the publication of a letter from a noble Duke (Buckingham), which that noble Duke had said was published *verbatim*. He was inclined to think, that the noble Duke had been led into the mistake by confidence in the authority of the right reverend Prelate, and he (the Lord Chancellor) had merely suggested that he ought to be set right.

The Duke of *Cumberland* said, that he had sat by the noble Duke upon the occasion referred to, and the noble Duke, to the best of his recollection, had said that it was "almost *verbatim*," and that no copy of the letter had been given to any one, and it had been shown only to two individuals. That was what had been stated by the noble Duke. He must say, that he thought the right reverend Prelate was justified in what he had said.

The *Lord Chancellor* said, that if ten noble Dukes repeated ten times, that the letter published was a *verbatim* copy of the letter addressed to the King, he (the

Lord Chancellor) must contradict the statement. He had compared the letter himself with the publication; others had compared it, and there was not the slightest pretence for saying, that the person who had written the letter in the newspaper had ever seen the letter addressed to the King. The author of the newspaper letter, who signed himself "Radical" was well known, and he had come forward afterwards, and distinctly stated, that his information was derived from ordinary society, and from a consideration of the general course of events at that time; and that he had no communication whatever on the subject, with any member of his Majesty's Government. He repeated, that there was not a tittle of the real letter published, and that the writer of the newspaper letter had no possible access to the letter addressed to his Majesty.

The Duke of *Cumberland* begged it might be understood, that he had not himself stated that the published letter was almost *verbatim* a copy of the real letter. He had merely stated that his noble friend (the Duke of Buckingham) had said so.

The Marquess of *Lansdown*, having been one of those who assisted at the comparison of the real with the published letter, could distinctly declare, that there was not, in the slightest degree, the resemblance implied; and the comparison did not afford the slightest reason to believe that any breach of confidence had been practised.

The Duke of *Cumberland* must again remind their Lordships, that he had only repeated the words of his noble friend.

The *Lord Chancellor* disclaimed any intention of imputing to his Royal Highness that he had made any such statement. It was the noble Duke, the writer of the original letter, who had been misled by the confident assertion of the right reverend Prelate.

The Bishop of *Exeter* complained of the incorrect manner in which the noble and learned Lord had described his conduct. He had never made any confident assertion on the subject. He had merely said, that he had heard that such a circumstance had occurred, and had asked the noble Duke, if he would permit him to inquire if it was true, and the noble Duke had answered that it was true.

Lord *Suffield* said, that the right reverend Prelate had mentioned the date of the letter, before the noble Duke spoke.

The *Lord Chancellor* said, it had been publicly stated, that the letter had been published *verbatim* in the newspaper, by means of a breach of confidence in some one of the Ministers, but, on examining the newspaper, it was actually proved that the letter was not given, nor even professed to be given, in the newspaper. The newspaper contained only a general commentary upon a supposed letter.

Earl *Grey* said, he had understood the right reverend Prelate, on the occasion alluded to, to assert that a particular newspaper contained, on a particular day, in a letter to the Editor, a copy of a confidential letter written to his Majesty by a noble Duke, which the writer of the letter to the Editor of the newspaper could not have obtained without a gross breach of duty on the part of some one of his Majesty's Ministers. He (Earl Grey) had heard the charge with indignation at the time, and had declared, that he believed it to be utterly unfounded; and that it certainly was so as it might be supposed to affect himself. On a subsequent comparison of the real letter with the letter signed "Radical," it appeared that there was not in the former, one passage which bore the slightest resemblance to the latter.

Lord *Holland* said, that it had been said that the paper was to be proscuted. What for? For having said, that it had heard what was the contents of a supposititious letter. But the right reverend Prelate now defended himself for having brought a foul charge against his Majesty's Government, upon what he had heard. Equal justice should be dealt out to all; and when a person, for stating at public meetings, or for writing in a newspaper, certain things as supposititious, which were not true, were called foul and calumnious, libellous and slanderous assailants; when a man was so assailed for having said so much, their Lordships would, he was sure, agree with him, that it did not suit the dignity, and was not becoming the character of that House, that upon a mere light hearsay, a Member of the House should make a foul allegation and charge against his Majesty's Government.

The Earl of *Eldon* said, that he had not called the newspaper libellous or scandalous. He had noticed it; but the noble Lord knew that there was a difference between noticing a paper and prosecuting it.

Lord *Holland* was content with the question as it had been stated by the noble Earl. The notice was taken of the paper in that House in the way he had mentioned.

The Earl of *Eldon* replied, the noble Lord was well aware, that there was a great difference between a notice in that House, and a prosecution.

The Bishop of *Exeter*, having been charged with misrepresentation upon hearsay, for having said, that a certain letter, published in a newspaper, could not have been obtained without a breach of confidence, he begged to state, that he had said no such thing. He had only put a question. Their Lordships would recollect, that what they were talking about occurred three months ago; and it became no man to be confident of the extreme accuracy of his recollection. He would, however state with confidence, that he believed he had qualified all he had then said. He had never said, that he believed it himself but he had said that it was believed by other persons, that there was a connexion between that paper and the Government, and that belief gave to the opinions expressed in that paper a peculiar weight. He had stated that he believed the contrary, but that such was the belief of others, and that belief his Majesty's Government had indignantly repelled.

Earl *Grey* said, that the right rev. Prelate had, at the same time, given as a proof of the connexion which he said existed between a certain paper and the Government, that it had published what it could only have obtained from persons in the Government. The right rev. Prelate disliked insinuations, but he stated what he believed, and all the venom went forth with the thin veil which the right rev. Prelate cautiously spread over it. He felt only disgust at the time, and now he felt nothing but contempt.

The Marquess of *Salisbury* called upon the House to mark the language of the Prime Minister. The charge he had made was not very suitable to the dignity of the House. The noble Earl had, for the first time, he believed, said he felt contempt for a member of the right rev. Bench. He called upon the House to protect the right rev. Bench. The right rev. Prelate had only stated his belief, and that belief was confirmed at the time by the statement of the noble Duke (Buckingham). He thought the noble and learned Lord on the Woolsack had very unfairly attacked that noble Duke in his absence.

The Bishop of *Exeter* entreated their Lordships not to pursue this discussion. He was sorry to have been the cause of raising this excitement. Whether his public life had been such as to justify the expression of contempt on the part of the noble Earl, he must leave to those who had observed his conduct. He would say nothing further, than that he trusted to his character to protect him against such a remark.

The *Lord Chancellor* hoped the noble Marquess (Salisbury) would excuse him if he did not confess himself wrong. He had originally replied to a charge, and that which was a defence the noble Marquess had converted into an attack. He would not confess himself wrong, because, with all respect to the noble Marquess, he believed himself right. The noble Duke referred to, he believed, was at the time under a complete mistake, or he never could have said, that a letter appeared *verbatim* in a Newspaper, which never appeared at all.

The Petition was laid on the Table.

Division of Counties and Boundaries of Boroughs.] The Duke of Richmond moved the Order of the Day for the House going into Committee on the Division of Counties' Bill, when—

Lord *Wynford* did not apprehend much opposition to the Motion which he rose to make; but, if he met with any, it must come from some of his noble friends, who, notwithstanding the change which had taken place in the Constitution of the country, still retained an attachment to nomination boroughs. The course their Lordships were then called upon to pursue was quite at variance with the usual practice of the House—never to legislate upon any question depending upon circumstances to which each Member of the House had equal access, without previously obtaining all the information possible. It was one of their Standing orders, that, in matters of trade, no new law was to be introduced till it had been referred to a Committee, because their Lordships were not supposed to be so well acquainted with trade, as to be enabled to judge of the propriety of making alterations in the laws concerning it. He begged to ask, what new measure could possibly be submitted to their Lordships, containing so many local details, which all the Members of that House could, by no possibility, be acquainted with, as the measure now before them? Noble Lords might be acquainted with particular boroughs—they might know the state of property in and near them, and might be aware of all the circumstances entering into the consideration of prescribing the boundaries of those boroughs; but they could not possibly be otherwise than merely partially acquainted with all the boroughs in the kingdom—they could not have such a knowledge of all the boroughs, as to be enabled to say what were the proper boundaries for each. Their Lordships would perceive, that a constituency of a given number, which might in one place be independent, might, from a different state of property, in another place, be such as to make the other place a complete nomination borough, and render it unfit to possess the right of sending Representatives to Parliament. Without going any further, he had shown, he thought, that it was impossible to pass this Bill into a law, without making inquiries as to the state of property, the extent of the constituency, and the condition of the country in and immediately adjoining all the small boroughs. He did not say, that a similar inquiry was necessary for all, and he should, therefore, limit his Motion to those boroughs, the state of which, appeared to him, to render that inquiry necessary. To great towns, such as Manchester, Birmingham, and others, his proposition did not apply, for they possessed a constituency such as to render it impossible that they should become the instruments of any one person; or that any one individual, or any set of individuals, should be able to prevent the exercise of an independent choice of Representatives. But in places, possessing only 100, 200, or 300 voters it would depend on the state of property in the districts, whether they could exercise a free and unbiassed choice. Suppose, for instance, a place of 300 constituents, every one of whom rented property from the same person, would that place not be a nomination borough? He hoped therefore that their Lordships, before they proceeded to legislate, would appoint a Committee to inquire whether the different boroughs could exercise a free choice, and if, in any case, a borough could not, whether the boundaries prescribed to it, should not be altered and extended, so as to render the inhabitants of that town or district independent of any particular individual. In the six volumes upon their Lordships' Table, they would find a statement of sixty towns, the constituency of which was under 300. He was sure that their Lordships who were anxious that the great measure of Reform should, now that it had become the law, be carried into full effect, would feel it necessary, that, with respect to every one of these sixty boroughs, there should be instituted an inquiry, such as he had adverted to. But there was another class of places to which he wished to draw their attention; those which, at present might contain more than 300 occupiers of premises of the value of 10*l*., which boroughs, in the year 1831, were returned as not possessing 300 inhabitants, who occupied premises rated at 10*l*. Their Lordships were aware that the principle of rating had been since departed from, and that, as the criterion of qualification, the supposed annual value of the premises had been taken instead; in consequence of which, several places were now represented as containing 300 persons, occupying houses of the yearly value of 10*l*. which were not included in the list previously prepared. In many cases, the Commissioners appeared to have proceeded on a principle which was hardly satisfactory, and had altered the position of some of these towns, in consequence of the yearly value being the criterion of qualification, from that in which they stood before, when the rating was the principle which guided them. Take, for instance, Evesham, which just contained the requisite number of houses to entitle it to the right of sending Members to Parliament, including the parts adjoining. The Commissioners had inquired as to the number of houses of the annual value of 10*l*.; and ascertained. that there were five or six above the requisite number. But from whom did they obtain this information? From persons who were, doubtless, desirous that the borough of Evesham should have the privilege of sending Members to Parliament, who were willing to make the number of houses of the required value as large as possible; the Commissioners contented themselves with asking the Churchwardens and overseers of the town; according to whose statement it appeared, that the number of qualified houses exceeded 300 by a small number, without any addition from the country adjoining. This was a case which demanded inquiry; it was fitting that their Lordships should know whether the representations of the Churchwardens and Overseers were correct, and whether, from a desire which they might possibly feel to retain the right of returning Members to Parliament, they might not have raised the value of this place a little higher, perhaps, than it ought to have been, were it impartially examined. He had no wish to deprive Evesham of its Members; all that he desired was, to render it independent, and make it worthy of exercising the trust to be reposed in it. There was another point to which he was anxious to call their attention. It appeared by the books and plans which had been laid before their Lordships, that the boundary lines of the small boroughs had been drawn in a most arbitrary way. There seemed no reason why, in some cases, the whole of one parish should be included, and the whole of another excluded; and in other cases, why a part of this parish should be taken in, and a part of that left out. He had no doubt that the Commissioners had exercised their judgment honestly and conscientiously, and that they had done that which they thought right, but that judgment was liable to error; and it was a principle of the Constitution, that no man's judgment should, in a case affecting the rights of another, be conclusive. He desired that the Commissioners should have an opportunity of proving that they had acted correctly, and had selected those boundaries most fit for the different boroughs. In none of their reports had the Commissioners, given any reason why the line was drawn differently now from what it was at first. If their Lordships looked at the reports they would find, that some of the Commissioners had taken in large tracts of uncovered country, because, they said, it might hereafter be built upon, while other Commissioners, in similar cases, had not taken in any additional territory. The Commissioners might, in both instances, be right; but the country was not bound to acquiesce in these arrangements, without knowing the grounds upon which the judgment of the Commissioners had been formed. Their Lordships would recollect the case of the borough of Arundel, to which was added Little Hampton. Having presented a petition on the subject, he proposed that Little Hampton should not be included in the borough, because that would convert Arundel, which was now an open, into a close borough. A noble Duke said, he was misinformed upon every one of the facts, and the noble Duke was sure, that, in justice to the Commissioners, he (Lord Wynford) would admit, that the course taken by them was perfectly correct. But how did the case turn out? The Bill went into the House of Commons with Little Hampton included in the borough of Arundel. A similar objection was made to it as that made by him; the question was referred to a Committee, and the result was, that part of Little Hampton was excluded from the borough. He proposed to refer the Bill to a Committee, to ascertain if the boundaries in other cases were correctly laid down; and, if it were right in the House of Commons to make an inquiry in the instance he had mentioned, it was equally right to institute an inquiry in other cases. He had no doubt that justice had been done to Arundel; but justice would not have been done if that inquiry had not been made. In all the smaller cases there were grounds for inquiry; but he would mention only three cases in which an inquiry was necessary. The general principle was, that no place should send representatives to Parliament which had not 300 10*l.* houses; at least the departures from that principle in this Bill were only the exceptions; the rule was still the same; and in all cases where it was possible there ought to be 300 houses, that being considered a number likely to establish an independent constituency. Now in the borough of Wallingford there were 206 10*l.* houses. The Commissioner acted in this case upon a right principle. He said "this is not enough;" and accordingly, other places had been added, some situated on the other side of the Thames in the county of Oxford, to the borough, by which means a constituency of 400 had been created. He approved of that. The borough had not been particularly remarked for the pure manner in which it had exercised the elective franchise, and he hoped there would be an improvement at Wallingford, by taking in more of the country. The Commissioners however acted upon a different principle at Wareham in Dorsetshire. That borough contained only 130 10*l.* houses; and the Commissioners ought to have taken in as much of the surrounding country as possible, for the purpose of raising the constituency. There were many places in the neighbourhood, Corfe Castle, for example, which would, if added, have almost made up the number of 300; but what had the Commissioners done? They had taken in a little bit of territory, which had raised the 130 to about 160; and the borough was left with a constituency of 160. He was sure that this could not be right, and that this borough could not be independent. If their Lordships left boroughs in this state, they would soon have another schedule A, and, instead of having settled this question, it would very soon be again brought under the consideration of Parliament, for the purpose of further purifying their system which their Lordships professed to bring by this Bill, to a state of the most perfect purity. There was also the borough of Tavistock, which had considerably less than 300 electors; and in that case the arrangement was a complete departure from the principle upon which the noble Lord who introduced this Bill in another place professed to act. He knew it had certainly upwards of 300 electors; but in 1831, it had considerably less than 200 electors. By a return in 1832, it was made to contain 230, or thereabouts; and now, by a late inquiry, and by a difference between the rating and valuing (though how the Commissioners ascertained the value of the houses was not stated), they had raised the constituency of Tavistock to 300; and thus confined the constituency to the parish of Tavistock, without taking in any part of the surrounding country, as was done in the case of Wallingford. But that was not all; there was a part of the parish of Tavistock, the inhabitants paying to the church and poor, called the manor of Cudlip Town, and he had reason to believe that it did not belong to the same person who owned all the other property in the parish of Tavistock,—this place was excluded from the boundary of the borough of Tavistock. Every one connected with that borough, must be desirous that that circumstance should be explained, and that it should be shown what impassable barrier there was lying between Cudlip Town and the other parts of the parish, which rendered it impossible that its inhabitants, who went to the parish church, should go to the poll for the borough of Tavistock on the days of election. The principle of scot-and-lot was, that those who paid scot and bore lot, should have the advantages of any privileges belonging to the place. Why then should the inhabitants of Cudlip town, who paid parish and church rates, be shut out from the privileges enjoyed by all the other inhabitants of the parish of Tavistock? The Commissioners said, that though Cudlip Town was part of the parish of Tavistock, yet it was separated from it. He wished they had described how it was separated, or, by some map, had shown its situation, and what were the circumstances which prevented its being, for all the purposes of an election, part of the borough of Tavistock. This, however, they did not tell. In all cases, the Commissioners had so drawn their plans, that it was impossible to say what other places ought to be added to any of the boroughs. The places they had added were mentioned, but not those they omitted. It would have been as well if they had given a sketch of the places within a few miles of each borough; so that the reason for preferring one place to another might have been at once explained. It would, too, have been no other than fair if the Commissioners had also stated to whom the different properties belonged, which would have enabled their Lordships to judge whether, by the addition of a place, a borough was likely to have an independent constituency. There was one other place he must refer to, Northallerton; which being an agricultural borough, to have acted consistently, the Commissioners should have preserved its agricultural character, particularly as there was a sufficient agricultural population around it to have allowed of their doing so. In other cases, the Commissioners had apologized for having added an agricultural population to a manufacturing town. And why, then, did they not act on the principle they thus acknowledged, when they had an opportunity of doing so, in the case of Northallerton? To that, however, they had added a weaving district, not because the weavers were rich, and the agricultural district poor—a case by no means uncommon in the present day—but because, as the Commissioners themselves stated, the parish of Bandon, which they had added to Northallerton, had a very poor population, all of whom were dependent upon two or three master manufacturers. Was it possible that these Commissioners could have acted rightly, and according to the spirit of the instructions they received, when, having an agricultural district at hand to annex to an agricultural borough, they passed over that, and annexed a district of an entirely different description? They had added, not only persons of an entirely different description to those of Northallerton, but persons who were dependent upon two or three master manufacturers. There was a larger class of boroughs in the arrangements, concerning which there were circumstances requiring examination. In the case of Barnstaple there was something very extraordinary. The Commissioners reported that the constituency was sufficiently large to support its independence, and, therefore Barnstaple did not require any addition; and they consequently, recommended, that the boundaries of the borough should remain as before. Notwithstanding this, however, there had been added to Barnstaple a considerable rural district consisting of one or two manors, lying entirely out of the ancient boundary of the borough. In the absence of all reasons for this course, it certainly was somewhat strange. The borough of Barnstaple did not happen to be the purest in the country; if therefore, it had not a sufficient number of voters, and if an addition had been made, with a view to introduce a new spirit of freedom and purity of conduct and disposition into the borough, he should have approved of it; but the voters of Barnstaple were so numerous, that they would completely swamp the new constituents, who instead of infusing into the old constituencies a purifying principle, would be acted upon by the corrupting influence of the borough. It was, therefore, unjust to cut off these voters from the county, and merge them in the corruption of a borough, which possessed in itself a constituency sufficiently large to preserve its franchise. Huddersfield was another place to which he would allude, which was a new borough. It was undoubtedly, a large town, and had it been an old borough, he should not have thought of enlarging its boundaries. But Huddersfield had no right to send Members to Parliament, except under this Bill; and if new boroughs were to be made, and there were any place in the kingdom equally entitled to send Members to Parliament, that place ought to have been selected instead of Huddersfield. He was prevented by illness, from attending the House when Huddersfield was placed in schedule C or he certainly should have endeavoured to substitute some other place for it. Though they could not prevent Huddersfield sending Members to Parliament, still it was in their power to regulate its boundaries. The Commissioners stated, that every house in Huddersfield except one, belonged to the same gentleman; but they were, notwithstanding, of opinion, that the ancient boundaries of the town ought to be the boundaries of the newly-created borough. No reason had been, nor could any be, given for this. If a Select Committee were granted they might add to this town a district which would remedy this evil. It occurred to him, that one reason assigned why this borough would be independent, notwithstanding it was the property of one individual, was this:—that all the houses in the town were held on long leases. The same thing was said of little Hampton; and the noble Duke opposite would no doubt, recollect the answers given to that argument at the time. It was very true, that the houses were granted on leases, but in every one of their leases there was a covenant which restrained the tenant from underleasing or assigning, without the consent of the landlord. That circumstance gave a sufficient power to the landlord to command the votes of his tenants. A man must be very strongly pressed indeed to act in opposition to his landlord, when under such a covenant. If he were anxious to have a nomination borough, he should desire no more effectual means to enable him to enslave his voters than the power of making such leases. This was a case which required examination. It was their duty to make Huddersfield an independent borough, and that would be acting in entire accordance with that principle of the Reform Bill. He had to apologize to their Lordships for having occupied so much of their time; but he felt it his duty to call their attention to this question. No time was lost that was devoted to making this measure, which was intended to be permanent a perfect one. But he was sure this measure could not be permanent, unless the whole of those anomalous cases he had referred to were examined and remedies applied to them. He had stated to their Lordships that the mode of inquiry he now proposed was consistent with the practice of Parliament; and had been adopted with success in the House of Commons in regard to this very Bill. He was sure, that the noble Lords opposite, who were so anxious to get rid of all nomination boroughs, and which could not be done unless those cases were examined into, would perceive the necessity of an inquiry. The only possible objection which could be made to his proposition was as to the time the inquiry would occupy; but, no time so employed could be lost. It was not, however, his wish that a general examination into all the smaller boroughs should take place. He was willing to confine the inquiry to the few boroughs he had mentioned. A few mornings devoted to the subject, the Committee making a report from time to time, would enable their Lordships to legislate satisfactorily; without that information, they could not legislate satisfactorily; on the contrary, instead of destroying nomination boroughs, they would create them. The people would at length discover, that their Lordships had not taken those precautions which were necessary to ensure the benefits expected from the measure of Reform. Whether that measure was calculated to produce those benefits he would not say; it had become the law of the land, and it was his duty to bow with respect to the opinions of the Legislature. But, unless an inquiry was instituted, such as he proposed, the public would soon find that the result of all those mighty preparations was merely a change, and not an improvement—putting an end to some boroughs, and creating others; and transferring political power from certain individuals to others no better entitled to it. He begged leave to move, that all the words after the word "that" be left out, and, that there be inserted instead, the words, "the returns and reports of the Commissioners on the boundaries of such boroughs as by the Report of 1832 are stated to contain less than 300 10*l.* houses, as also the boroughs of Barnstaple and Huddersfield, be referred to a Select Committee, to examine persons, papers, and records, and to report from time to time their opinions as to what boundaries will secure to those respective boroughs independent constituencies."

The Duke of *Richmond* did not feel it necessary to follow the noble and learned Lord through his speech. The present was not the fit and proper occasion for discussing the questions relative to the different boroughs which the noble and learned Lord had introduced. He felt satisfied that the effect of such a Committee as that which the noble and learned Lord had moved for, would be, either to extend the present Session of Parliament to a most inconvenient length, or to get rid of the Bill altogether, which he could not think was the object of the noble and learned Lord, who had said his object was to get rid of the nomination boroughs. The noble Lord might banish his fears on that subject, for he could assure the noble and learned Lord, that not one nomination borough would be left. The noble and learned Lord said, that the Commissioners had not given sufficient information, and he wanted information as to the properties of individuals connected with boroughs. But, if the noble and learned Lord meant to legislate with a view to a balance of interests, in reference to property which was continually changing hands, he would introduce a principle of never-ending change. He was also sure, that if the noble and learned Lord had been present on a former occasion, when this subject had been somewhat discussed, he would not have brought forward this Motion. He (the Duke of Richmond) would only add, not wishing to take up the time of their Lordships at the late hour which had now arrived, that he was ready at the proper opportunity, namely, when the boundary of each several borough came under consideration, to defend any alteration from the returns and reports of the Commissioners which had been made by the Government.

Lord *Rolle* complained of the deviation from the Report of the Commissioners, with respect to the boundaries of the borough of Barnstaple, particularly as to including some of his property in the borough. He required that the Report of the Commissioners on this point should be read, which being done, and it stating, that they recommended the ancient boundaries to be preserved, he insisted that he ought to be informed why that Report was departed from.

The Duke of *Richmond* said, that the boundaries of Barnstaple had been changed because the Commissioners had omitted to extend them equally on all sides of the town. It was found necessary to include Bolton on one side, and then it became proper to include Newport on the other.

Lord *Wynford* was surprised at the manner in which an answer, or rather no answer, had been given to the observations he had offered on behalf of his Majesty's Government. He, however, was determined the country should know that his Motion had passed away on no better opposition being offered to it. He would maintain, that Tavistock and some other boroughs, would henceforth be as complete nomination boroughs as ever they had been, and Tavistock never had returned anybody but the members of one certain family. After refusing his Motion on such insufficient grounds, the people would begin to suspect that there must be some particular reason why there should be no inquiry into the subject. He would not go to a division; it was sufficient for him to show that the Government had resisted his Motion for such inquiry.

Earl *Grey* meant to oppose the Motion, for the simple reason, that it would not afford any benefit, and would only tend to produce delay. The case of Tavistock and of all the boroughs comprised in the Motion of the noble and learned Lord, would severally come before their Lordships for consideration, and if any inquiry was found necessary in any instance, the noble and learned Lord could then move for it, and therefore he felt that the whole of the present discussion was occupying the time of their Lordships unnecessarily, and was preventing the House from coming to a decision, which it was important should be made with as little delay as possible.

Motion negatived without a division.

On the original Question being put, "that the House do now resolve itself into Committee,"

Lord *Ellenborough* said, he thought the present a fitting opportunity to offer an observation on the subject of the English Reform Bill, now passed into a law. He did not doubt but that the noble Lords opposite considered that Bill as the perfection of human wisdom, and therefore, perhaps, it was, that they had omitted the usual clause or provision, which Legislators of greater humility were accustomed to insert in Acts of Parliament—namely, that the Bill might be amended during the then Session of Parliament. The omission of such a clause was important, and was, he regretted to say, without remedy; for great inconveniences had already arisen in respect to the registration by Overseers of parishes. In some parishes there were no Overseers, and in such case the Bill had provided, that such parish should be added to the next smaller parish, for the purposes of registration. He would mention as an instance the case of the Forest of Dean, containing a population of 7,000 persons, and 8,000 acres of land, and the inhabitants of the small parish of Plaxley would, under the provisions of the Reform Bill, be obliged to sustain all the burthen of the registration of that district, as the Forest of Dean was extra-parochial. The parish would be unable to bear such a burthen. That was a part which required amendment.

The Duke of *Richmond* said, that the inconvenience in question might be remedied by a provision in the Boundary Bill.

Lord *Ellenborough* said, that great difficulties and much scandal in legislation might occur, if at a late period of the Session, it was in their power to alter bills passed in an early period of it, and which did not contain a provision to that effect.

Earl *Grey* said, that the case put by the noble Lord should receive his careful attention, and he was sure that some means might be found to remedy the evil with regard to the parish to which the noble Lord had alluded.

Lord *Holland* believed, that a specific Act of Parliament, now in existence, rendered it unnecessary, for the purpose of amending a Bill in the same Session that it was passed, to introduce a provision into it to that effect, which was formerly the parliamentary usage, when the whole Session of Parliament was, according to a legal fiction, considered to be one day.

The House in Committee. Several Clauses of the Bill read and agreed to.

The House resumed—the Committee to sit again.

END OF VOL. XIII.—THIRD SERIES.

APPENDIX.

CONTAINING

I. The ANNUAL FINANCE ACCOUNTS.

II. The PARLIAMENTARY REFORM ACT, as passed; with the various SCHEDULES.

TOGETHER WITH

III. An INDEX OF REFERENCE to all the DEBATES and EXPLANATIONS which took place on the respective Clauses of the two Bills in their progress through each House.

APPENDIX.

FINANCE ACCOUNTS,

Class I *to* VIII,

OF THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND,

For the Year ended 5th January, 1832.

CLASS.

I. - - - PUBLIC INCOME.
II. - - - PUBLIC EXPENDITURE.
III. - - - CONSOLIDATED FUND.
IV. - - - PUBLIC FUNDED DEBT.
V. - - - UNFUNDED DEBT.
VI. - - - DISPOSITION OF GRANTS.
VII. - - - ARREARS AND BALANCES.
VIII. - - - TRADE AND NAVIGATION.

An Account of the Ordinary Revenues and Extraordinary Resources, consti-
IRELAND; for the Year

N.B.—This Account is formed by adding the Totals of the Account for Great

HEADS OF REVENUE.	GROSS RECEIPT.			Repayments, Allowances, Discounts, Drawbacks, and Bounties in the Nature of Drawbacks, &c.			NETT RECEIPT within the Year, after deducting REPAYMENTS, &c.		
Ordinary Revenues.	£.	s.	d.	£.	s.	d.	£.	s.	d.
CUSTOMS	19,645,939	10	1¼	1,378,865	14	6½	18,267,073	15	6¾
EXCISE	19,093,342	19	7¾	1,679,807	11	1½	17,413,535	8	6¼
STAMPS	7,427,600	1	6¼	288,961	5	1	7,138,638	16	5¼
TAXES, under the Management of the Commissioners of Taxes	5,228,937	5	11¼	6,218	17	9½	5,222,718	8	1¾
POST OFFICE	2,321,311	10	3	93,947	5	3¾	2,227,364	4	11¼
One Shilling in the Pound, and Sixpence in the Pound on Pensions and Salaries, and Four Shillings in the Pound on Pensions	39,257	10	8¼	-	-	-	39,257	10	8¼
Hackney Coaches, and Hawkers and Pedlars	70,993	7	8	-	-	-	70,993	7	8
Crown Lands	373,770	10	2½	-	-	-	373,770	10	2½
Small Branches of the King's Hereditary Revenue	6,820	6	2	-	-	-	6,820	6	2
Surplus Fees of Regulated Public Offices	37,926	16	9¼	-	-	-	37,926	16	9¼
Poundage Fees, Pells' Fees, Casualties, Treasury Fees, and Hospital Fees	4,539	13	7¾	-	-	-	4,539	13	7¾
Totals of Ordinary Revenues	54,250,439	12	7¼	3,447,800	13	10¼	50,802,638	18	9
Extraordinary Resources.									
Money received from the East-India Company, on account of Retired Pay, Pensions, &c. of his Majesty's Forces serving in the East Indies, per Act 4 Geo. 4, c. 71	60,000	0	0	-	-	-	60,000	0	0
Imprest Monies, repaid by sundry Public Accountants, and other Monies paid to the Public	29,367	15	11¾	-	-	-	29,367	15	11¾
Money received from the Bank of England on account of Unclaimed Dividends	41,426	9	0	-	-	-	41,426	9	0
Totals of the Public Income of the United Kingdom	54,381,233	17	7	3,447,800	13	10¼	50,933,433	3	8¾

tuting the PUBLIC INCOME of the United Kingdom of GREAT BRITAIN AND ended 5th January, 1832.

Britain to the Totals of the Account for Ireland—for which Accounts see *infra*.

TOTAL INCOME, including BALANCES.			Charges of Collection, and other Payments out of the Income, in its Progress to the Exchequer.			PAYMENTS into the EXCHEQUER.			BALANCES and BILLS outstanding on 5th January, 1832.			TOTAL DISCHARGE of the INCOME.			Rate per cent for which the Gross Receipt was collected.		
£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.
18,924,987	12	10¾	1,783,246	3	4¾	16,516,271	5	4¼	625,470	4	1¾	18,924,987	12	10¾	6	14	2
18,120,079	14	4	1,244,363	6	5½	16,303,025	7	4¾	572,691	0	5¾	18,120,079	14	4	5	18	7
7,410,088	14	10	185,109	19	1½	6,947,829	8	3	277,149	7	5½	7,410,088	14	10	2	9	10
5,318,508	12	0¾	305,764	2	10¼	4,864,343	0	5½	148,401	8	9	5,318,508	12	0¾	5	7	7
2,399,533	18	9½	698,661	16	2	1,530,205	19	3	170,666	3	4½	2,399,533	18	9½	28	7	2¼
42,383	8	1¼	1,221	7	5	38,888	9	4¼	2,273	11	4	42,383	8	1¼	3	2	2½
71,152	12	9	12,239	11	7½	46,565	2	11½	12,347	18	2	71,152	12	9	17	4	9½
419,043	19	10	354,539	12	6	-	-	-	64,504	7	4	419,043	19	10	7	0	10¾
7,072	15	3¾	3,021	5	9¾	4,051	9	6	-	-	-	7,072	15	3¾	14	19	5
37,926	16	9¼	-	-	-	37,926	16	9¼	-	-	-	37,926	16	9¼		—	
4,539	13	7¾	-	-	-	4,539	13	7¾	-	-	-	4,539	13	7¾		—	
52,755,317	19	4	4,588,167	5	4¼	46,293,646	12	11¼	1,873,504	1	0½	52,755,317	19	4	6	13	3¼
60,000	0	0	-	-	-	60,000	0	0	-	-	-	60,000	0	0		—	
29,367	15	11¾	-	-	-	29,367	15	11¾	-	-	-	29,367	15	11¾		—	
41,426	9	0	-	-	-	41,426	9	0	-	-	-	41,426	9	0		—	
52,886,112	4	3¾	4,588,167	5	4¼	46,424,440	17	11	1,873,504	1	0½	52,886 1	4	3¾		—	

An Account of the Ordinary Revenues and Extraordinary Re-
the Year ended

HEADS OF REVENUE.	GROSS RECEIPT.			Repayments, Allowances, Discounts, Drawbacks, and Bounties of the Nature of Drawbacks.			NETT RECEIPT within the Year, after deducting REPAYMENTS, &c.		
Ordinary Revenues.	£.	s.	d.	£.	s.	d.	£.	s.	d.
CUSTOMS	18,168,491	0	11	1,358,317	6	3	16,810,173	14	8
EXCISE	16,900,263	15	0½	1,670,999	16	2	15,229,263	18	10½
STAMPS	6,945,559	1	10¼	281,265	0	5¼	6,664,294	1	5
TAXES, under the Management of the Commissioners of Taxes	5,228,937	5	11¼	6,218	17	9½	5,222,718	8	1¾
POST OFFICE	2,064,334	16	4½	75,040	0	6½	1,989,294	15	10
One Shilling in the Pound, and Sixpence in the Pound on Pensions and Salaries, and Four Shillings in the Pound on Pensions	39,257	10	8¼	-	-	-	39,257	10	8¼
Hackney Coaches, and Hawkers and Pedlars	70,993	7	8	-	-	-	70,993	7	8
Crown Lands	373,770	10	2½	-	-	-	373,770	10	2½
Small Branches of the King's Hereditary Revenue	6,820	6	2	-	-	-	6,820	6	2
Surplus Fees of Regulated Public Offices	37,926	16	9¼	-	-	-	37,926	16	9¼
TOTALS of Ordinary Revenues	49,836,354	11	7½	3,391,841	1	2¼	46,444,513	10	5¼
Extraordinary Resources.									
Money received from the East India Company on account of Retired Pay, Pensions, &c. of his Majesty's Forces serving in the East Indies, per Act 4 Geo. 4, c. 71	60,000	0	0	-	-	-	60,000	0	0
Imprest Monies repaid by sundry Public Accountants, and other Monies paid to the Public	11,894	1	11¾	-	-	-	11,894	1	11¾
Money received from the Bank of England, on account of Unclaimed Dividends	41,426	9	0	-	-	-	41,426	9	0
TOTALS of the Public Income of Great Britain	49,949,675	2	7¼	3,391,841	1	2¼	46,557,834	1	5

SOURCES, constituting the PUBLIC INCOME of GREAT BRITAIN, for
5th January, 1832.

TOTAL INCOME, including BALANCES.			Charges of Collection and other Payments out of the Income, in its Progress to the Exchequer.			PAYMENTS into the EXCHEQUER.			BALANCES and BILLS outstanding on 5th January, 1832.			TOTAL DISCHARGE of the INCOME.			Rate per cent. for which the Gross Receipt was collected.		
£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.
17,377,641	7	10½	1,498,370	11	8½	15,336,715	7	9¼	542,555	8	4¾	17,377,641	7	10½	5	16	0
15,909,273	6	1½	1,028,103	4	11¼	14,330,875	5	4½	550,294	15	9¾	15,909,273	6	1½	5	12	5¼
6,919,932	12	4¼	157,455	9	4	6,500,909	17	0	261,567	6	0¼	6,919,932	12	4¼	2	5	4
5,318,508	12	0¾	305,764	2	10¼	4,864,343	0	5½	148,401	8	9	5,318,508	12	0¾	5	7	7
2,108,958	19	1¾	594,254	19	4	1,391,005	19	3	123,698	0	6¾	2,108,958	19	1¾	27	16	7½
42,383	8	1¼	1,221	7	5	38,888	9	4¼	2,273	11	4	42,383	8	1¼	3	2	2½
71,152	12	9	12,239	11	7½	46,565	2	11½	12,347	18	2	71,152	12	9	17	4	9½
419,043	19	10	354,539	12	6	-	-	-	64,504	7	4	419,043	19	10	7	0	10¾
7,072	15	3¾	3,021	5	9¾	4,051	9	6	-	-	-	7,072	15	3¾	14	19	5
37,926	16	9¼	-	-	-	37,926	16	9¼	-	-	-	37,926	16	9¼		—	
48,211,894	10	4	3,954,970	5	6¼	42,551,281	8	5¼	1,705,642	16	4½	48,211,894	10	4	6	2	8½
60,000	0	0	-	-	-	60,000	0	0	-		-	60,000	0	0		—	
11,894	1	11¾	-	-	-	11,894	1	11¾	-	-	-	11,894	1	11¾		—	
41,426	9	0	-	-	-	41,426	9	0	-	-	-	41,426	9	0		—	
48,325,215	1	3¾	3,954,970	5	6¼	42,664,601	19	5	1,705,642	16	4½	48,325,215	1	3¾		—	

An Account of the ORDINARY REVENUES and EXTRAORDINARY
for the Year ended

HEADS OF REVENUE.	GROSS RECEIPT.			Repayments, Drawbacks, Discounts, &c.			NETT RECEIPT within the Year, after deducting REPAYMENTS, &c.		
Ordinary Revenues.	£.	s.	d.	£,	s.	d.	£.	s.	d.
CUSTOMS	1,477,448	9	2¼	20,548	8	3½	1,456,900	0	10¾
EXCISE	2,193,079	4	7¼	8,807	14	11½	2,184,271	9	7¾
STAMPS	482,040	19	8	7,696	4	7¾	474,344	15	0¼
POST OFFICE	256,976	13	10½	18,907	4	9¼	238,069	9	1¼
Poundage Fees, Pells Fees, Casualties, Treasury Fees, and Hospital Fees	4,539	13	7¾	-	-	-	4,539	13	7¾
TOTALS of Ordinary Revenues	4,414,085	0	11¾	55,959	12	8	4,358,125	8	3¾
Other Resource.									
Imprest Monies repaid by sundry Public Accountants, and other Monies paid to the Public	17,473	14	0	-	-	-	17,473	14	0
TOTALS of the Public Income of Ireland	4,431,558	14	11¾	55,959	12	8	4,375,599	2	3¾

Resources, constituting the PUBLIC INCOME of IRELAND, 5th January, 1832.

TOTAL INCOME including BALANCES.			Charges of Collection, and other Payments out of the Income, in its Progress to the Exchequer			PAYMENTS into the EXCHEQUER.			BALANCES and BILLS outstanding on 5th January, 1832.			TOTAL DISCHARGE of the INCOME.			Rate per cent for which the Gross Receipt was collected.		
£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.
1,547,346	5	0¼	284,875	11	8¼	1,179,555	17	7	82,914	15	9	1,547,346	5	0¼	17	17	4¼
2,210,806	8	2½	216,260	1	6¼	1,972,150	2	0¼	22,396	4	8	2,210,806	8	2½	8	5	10¼
490,156	2	5¾	27,654	9	9½	446,919	11	3	15,582	1	5¼	490,156	2	5¾	5	14	8¾
290,574	19	7¾	104,406	16	10	139,200	0	0	46,968	2	9¾	290,574	19	7¾	32	11	9½
4,539	13	7¾	-	-	-	4,539	13	7¾	-	-	-	4,539	13	7¾		—	
4,543,423	9	0	633,196	19	10	3,742,365	4	6	167,861	4	8	4,543,423	9	0	12	12	6
17,473	14	0	-	-	-	17,473	14	0	-	-	-	17,473	14	0		—	
4,560,897	3	0	633,196	19	10	3,759,838	18	6	167,861	4	8	4,560,897	3	0		—	

An Account of the TOTAL INCOME of the Revenue of Great Britain and Allowances, Discounts, Drawbacks, and Bounties of the nature of Drawbacks; Kingdom, exclusive of the Sums applied to the Re-

HEADS OF REVENUE.	NETT RECEIPT as stated in Account of Public Income.			——		
	£.	s.	d.	£.	s.	d.
Ordinary Revenues.						
Balances and Bills outstanding on 5th January 1831	-	-	-	1,952,679	0	7
Customs	18,267,073	15	6¾			
Excise	17,413,535	8	6¼			
Stamps	7,138,638	16	5¼			
Taxes	5,222,718	8	1¾			
Post Office	2,227,364	4	11¼			
One Shilling and Sixpenny Duty on Pensions and Salaries, and Four Shillings in the Pound on Pensions	39,257	10	8¼			
Hackney Coaches, and Hawkers and Pedlars	70,993	7	8			
Crown Lands	373,770	10	2½			
Small Branches of the King's Hereditary Revenue	6,820	6	2			
Surplus Fees of Regulated Public Offices	37,926	16	9¼			
Poundage Fees, Pells' Fees, Casualties, Treasury Fees, and Hospital Fees	4,539	13	7¾			
				50,802,638	18	9
				52,755,317	19	4
Deduct Balances and Bills outstanding on 5th January 1832				1,873,504	1	0½
Total Ordinary Revenues				50,881,813	18	3½
Other Resources.	£.	s.	d.			
Money received from the East India Company, on account of Retired Pay, Pensions, &c. of his Majesty's Forces serving in the East Indies, per Act 4 Geo. 4, c. 71	60,000	0	0			
Imprest Monies repaid by sundry Public Accountants, and other Monies paid to the Public	29,367	15	11¾			
Money received from the Bank of England on account of Unclaimed Dividends	41,426	9	0			
				130,794	4	11¾
				51,012,608	3	3¼
Excess of Expenditure over Income defrayed out of the Balances in the Exchequer, at the commencement of the year				698,857	6	0
				51,711,465	9	3¼
Balances in the hands of Receivers, &c. on 5th January 1831				1,952,679	0	7
Ditto on 5th January 1832				1,873,504	1	0½
Balances less in 1832 than in 1831				79,174	19	6½
Excess of Expenditure, issued out of the Balances in the Exchequer				698,857	6	0
Actual Deficiency of Income as compared with Expenditure				778,032	5	6½

Ireland, in the Year ended 5th January 1832, after deducting the Repayments, together with an Account of the PUBLIC EXPENDITURE of the United duction of the National Debt within the same Period.

EXPENDITURE.	—			—		
PAYMENTS OUT OF THE INCOME in its progress to the Exchequer:	£.	s.	d.	£.	s.	d.
Charges of Collection	3,615,368	15	1			
Other Payments	972,798	10	3¼			
Total Payments out of the Income, in its progress to the Exchequer				4,588,167	5	4¼
FUNDED DEBT:						
Interest and Management of the Permanent Debt	24,372,894	0	6¼			
Terminable Annuities	3,318,688	14	4¾			
Total Charge of the Funded Debt, exclusive of £.5,492 4*s.* 4*d.* the Interest on Donations and Bequests	27,691,582	14	11			
UNFUNDED DEBT:						
Interest on Exchequer Bills	649,833	8	2			
				28,341,416	3	1
Civil List charges, from 26th June 1830 to 31st December 1831	770,604	7	10¾			
Civil List, chargeable on the Hereditary Revenue of the Crown	100,231	12	9¾			
	870,836	0	8½			
Deduct:—Repayments for Advances for the same, made out of Parliamentary Grants and other Funds, per Act 1 Will. 4, c. 25	359,522	0	7¼			
	511,314	0	1¼			
Pensions	437,568	9	11½			
Salaries and Allowances	86,334	15	11¾			
Courts of Justice	276,924	17	7¾			
Miscellaneous Charges on the Consolidated Fund	217,324	5	9			
Mint Establishment	16,349	13	4			
Bounties granted for the encouragement of Hemp and Flax in Scotland, per 27 Geo. III. c. 13, s. 65	2,956	13	8			
				1,548,772	16	5¼
				34,478,356	4	10½
Army	7,216,292	18	11½			
Navy	5,689,858	16	7			
Ordnance	1,472,944	0	0			
Miscellaneous, chargeable upon the Annual Grants of Parliament	2,854,013	8	10¼			
				17,233,109	4	4¾
				51,711,465	9	3¼

An Account of the Nett PUBLIC INCOME of the United Kingdom of GREAT
EXPENDITURE thereout, defrayed by the several Revenue Departments,
Sums applied to the Redemption of Funded, or for paying off Un-

INCOME.	Applicable to the Consolidated Fund.			Applicable to the Public Service.			Income paid into the Exchequer.		
ORDINARY REVENUES AND RECEIPTS.	£.	s.	d.	£.	s.	d.	£.	s.	d.
Customs	13,349,550	15	2¾	3,166,720	10	1½	16,516,271	5	4¼
Excise	16,303,025	7	4¾	-	-	-	16,303,025	7	4¾
Stamps	6,947,829	8	3	-	-	-	6,947,829	8	3
Taxes	4,864,343	0	5½	-	-	-	4,864,343	0	5½
Post Office	1,530,205	19	3	-	-	-	1,530,205	19	3
One Shilling and Sixpence, and Four Shillings on Pensions and Salaries	38,888	9	4¼	-	-	-	38,888	9	4¼
Hackney Coaches, and Hawkers and Pedlars	46,565	3	0	-	-	-	46,565	3	0
Small Branches of the King's Hereditary Revenue	4,051	9	6	-	-	-	4,051	9	6
Surplus Fees of regulated Public Offices	37,926	16	9¼	-	-	-	37,926	16	9¼
Poundage Fees, Pells Fees, &c. in Ireland	4,539	13	7¾	-	-	-	4,539	13	7¾
TOTAL Ordinary Revenue	43,126,926	2	10¼	3,166,720	10	1½	46,293,646	12	11¾
OTHER RECEIPTS.									
Imprest and other Monies	28,290	9	10½	1,087	6	1¼	29,367	15	11¾
Monies received from the East India Company	-	-	-	60,000	0	0	60,000	0	0
Money received from the Bank of England, on account of Unclaimed Dividends	-	-	-	41,426	9	0	41,426	9	0
	43,155,206	12	8¾	3,269,234	5	2¾	46,424,440	17	11½
Excess of Expenditure over Income, defrayed out of the Balances in the Exchequer at the commencement of the Year							698,857	5	11½
							47,123,298	3	11

Britain and Ireland, in the Year ended 5th January, 1832, after abating the and of the Actual Issues or Payments within the same Period, exclusive of the funded Debt, and of the Advances and Repayments for Local Works, &c.

EXPENDITURE.				Nett Expenditure.		
	£.	*s.*	*d.*	*£.*	*s.*	*d.*
FUNDED DEBT:						
Interest and Management of the Permanent Debt	24,372,894	0	6¼			
Terminable Annuities	3,318,688	14	4¾			
Total Charge of the Funded Debt, exclusive of 5,492*l.* 4*s.* 4*d.* the Interest on Donations and Bequests	27,691,582	14	11			
UNFUNDED DEBT:						
Interest on Exchequer Bills	649,833	8	2	28,341,416	3	1
Civil List Charges from 26th June 1830 to 31st December 1831	770,604	7	10¾			
Civil List chargeable on the Hereditary Revenue of the Crown	100,231	12	9¾			
Deduct,—	870,836	0	8½			
Repayments for Advances for the same, made out of Parliamentary Grants and other Funds, per Act 1 Will. 4, c. 25	359,522	0	7¼			
	511,314	0	1¼			
Pensions	437,568	9	11½			
Salaries and Allowances	86,334	15	11¾			
Courts of Justice	276,924	17	7¾			
Miscellaneous Charges on the Consolidated Fund	217,324	5	9			
Mint Establishment	16,349	13	4			
Bounties granted for the encouragement of Hemp and Flax in Scotland, per Act 27 Geo. 3, c. 13, s. 65	2,956	13	8			
				1,548,772	16	5¼
				29,890,188	19	6¼
Army	7,216,292	18	11½			
Navy	5,689,858	16	7			
Ordnance	1,472,944	0	0			
Miscellaneous, chargeable upon Annual Grants of Parliament	2,854,013	8	10¼	17,233,109	4	4¾
				47,123,298	3	11

An Account of the Balances of PUBLIC MONEY remaining in the Exchequer
or Unfunded Debt, in the Year ended 5th January, 1832; the Money ap-
the Total Amount of Advances and Repayments on account
and the Balances in the Ex-

	£.	s.	d.	£.	s.	d.
Balances in the Exchequer on 5th January 1831				5,993,940	0	10
MONEY RAISED In the Year ended 5th January 1832, by the creation of Unfunded Debt:						
Exchequer Bills per Act 1 Will. 4, c. 62, Sess. 1	1,953,300	0	0			
Ditto - - 1 Will. 4, c. 11, Sess. 2	12,000,000	0	0			
Ditto - - 1 Will. 4, c. 14, Sess. 2	11,213,000	0	0			
Ditto - - - 1 & 2 Will. 4, c. 28	923,000	0	0			
Ditto - - - 1 Will. 4, c. 50, Sess. 1, charged on Sugar Duty	445,000	0	0			
Ditto - - - 1 Will. 4, c. 23, Sess. 2, ditto	3,000,000	0	0			
For building Churches, per Act 5 Geo. 4, c. 103	102,600	0	0			
For Public Works, &c. per Act 3 Geo. 4, c. 86	12,600	0	0			
Ditto - - - - 1 & 2 Will. 4, c. 24	165,000	0	0			
				29,814,500	0	0
Exchequer Bills, per Act 11 Geo. 4, to pay off £.4 per cent Dissentients				260,000	0	0
				36,068,440	0	10

on the 5th January, 1831; the amount of Money raised by Additions to the FUNDED
plied towards the Redemption of the Funded, or paying off the Unfunded Debt;
of Local Works, &c. with the Difference accruing thereon,
chequer on the 5th January, 1832.

ISSUED TO

The Commissioners for the Reduction of the National Debt,
to be applied to the Redemption of Funded Debt:

	£.	s.	d.	£.	s.	d.
By Issues per Act 10 Geo. 4, c. 27	2,668,365	15	2¾			
By Interest on Donations and Bequests	5,492	4	4			
	2,673,857	19	6¾			
Deduct the Sum which has not been applied in the Redemption of Funded Debt, but in the Redemption of Consolidated Fund, Deficiency Bills, per the 6th & 7th sections of the above Act	1,450,000	0	0			
				1,223,857	19	6¾
By the Bank of England, to pay off four per cent Dissentients, per Act 11 Geo. 4				260,000	0	0
Paymasters of Exchequer Bills for the Payment of Unfunded Debt				29,872,800	0	0
The Total Amount of Advances for the Employment of the Poor, and for Local Works within the year	609,355	13	10½			
Ditto - - - Repayments for ditto - - ditto	430,120	15	4¼			
Excess of Advances over Repayments				179,234	18	6¼
Excess of Expenditure over Income, defrayed out of the Balances in the Exchequer at the commencement of the year				698,857	5	11½
By Balances in the Exchequer on 5th January, 1832				3,833,689	16	9½
				36,068,440	0	10

An Account of the Income of the CONSOLIDATED FUND arising in the United on account of the Consolidated

	£.	s.	d.	£.	s.	d.
The Total Income applicable to the Consolidated Fund, and the Sum set apart as the Hereditary Revenue of the Crown				43,155,206	12	8¾
Deduct the Sum set apart as the Hereditary Revenue of the Crown, from 5th January to 22nd April 1831	100,231	12	9¾			
Of which Sum there was carried to the Consolidated Fund, in pursuance of the Act 1 Will. 4, c. 25, being the Balance of the Hereditary Revenue in the Exchequer on the 22nd April 1831, the day on which the said Act passed into Law	80,519	6	2			
The Difference only to be deducted.				19,712	6	7¾
The Total Income applicable to the Consolidated Fund				43,135,494	6	1
Add the Sum repaid to the Consolidated Fund on account of Advances for Public Works, &c.				263,327	2	10¼
To Cash, brought from the Supplies in Re-payment of Sums issued out of the Hereditary Revenue in Scotland, for Services included in the Grants for the Year 1831				11,441	4	3
				43,410,262	13	2¼
To Cash applied by the Commissioners for the Reduction of the National Debt in Redemption of Consolidated Fund Deficiency Bills, in pursuance of the Act 10 Geo. 4, c. 27, s. 6				1,450,000	0	0
				44,860,262	13	2¼

An Account of the Money applicable to the Payment of the CONSOLIDATED several Charges which have become due thereon, in the same year, Fund, at the commencement and

	£.	s.	d.	£.	s.	d.	£.	s.	d.
Income arising in Great Britain							39,430,303	3	6
Income arising in Ireland				3,979,959	9	8¼			
Add the Sum paid out of the Consolidated Fund in Ireland, towards the Supplies, in the Quarter ended 5th January 1831				257,755	5	11½			
				4,237,714	15	7¾			
Deduct the Sum paid out of the Consolidated Fund in Ireland, towards the Supplies, in the Quarter ended 5th day of January 1832	482,930	8	9½						
				482,930	8	9½			
							3,754,784	6	10¼
Total Sum applicable to the Charge of the Consolidated Fund, in the Year ended 5th day of January 1832							43,185,087	10	4¼
To Cash applied by the Commissioners for the Reduction of the National Debt in Redemption of Consolidated Fund Deficiency Bills, pursuant to Act 10 Geo. 4, c. 27, s. 6							1,450,000	0	0
Exchequer Bills to be issued to complete the Payment of the Charge, to 5th day of January 1832							5,768,347	10	4¼
							50,403,435	0	9

Kingdom, in the Year ended 5th January, 1832; and also of the Actual Payments Fund within the same period.

HEADS OF PAYMENT.	£.	s.	d.	£.	s.	d.
Dividends, Interest, Sinking Fund, and Management of the Public Funded Debt, 4 Quarters to 10th October, 1831				30,365,440	14	5¾
Interest on Exchequer Bills issued upon the credit of the Consolidated Fund				45,468	2	4
Civil List Charge, from 26th June 1830 to 31st December 1831	770,604	7	10¾			
Deduct Repayments for Advances for the same out of the Hereditary Revenues and Consolidated Fund, per 1 Will. 4, c. 25	112,436	5	9¼			
				658,168	2	1½
Pensions charged by Act of Parliament upon the Consolidated Fund, 4 Quarters to 10th October, 1831				437,568	9	11½
Salaries and Allowances - - - - - do. - - - -				86,334	15	11¾
Officers of the Courts of Justice - - - - do. - - - -				276,924	17	7¾
Expenses of the Mint - - - - - - do. - - - -				16,349	13	4
Bounties - - - - - - - - do. - - - -				2,956	13	8
Miscellaneous - - - - - - do. - - - -				217,324	5	9
Advances out of the Consolidated Fund in England, for Public Works				3,000	0	0
Do. - - - Ireland - - - - - - do. - - - -				428,756	13	10½
				32,538,291	9	1¾
Surplus of the Consolidated Fund				12,321,971	4	0½
				44,860,262	13	2¼

FUND of the United Kingdom, in the Year ended 5th January, 1832, and of the including the Amount of Exchequer Bills charged upon the said at the termination of the Year.

HEADS OF CHARGE.	£.	s.	d.	£.	s.	d.
Dividends, Interest, Sinking Fund, and Management of the Public Funded Debt, 4 Quarters to 5th January, 1832				29,609,582	5	10¾
Interest on Exchequer Bills issued upon the credit of the Consolidated Fund				50,964	5	5
Civil List Charges, from 26th June 1830 to 31st December 1831.	770,604	7	10¾			
Deduct Repayments for Advances for the same out of the Hereditary Revenue and the Consolidated Fund, Act 1 Will. 4, c. 25	112,436	5	9¼			
				658,168	2	1½
Pensions charged by Act of Parliament upon the Consolidated Fund, 4 Quarters to 5th January, 1832				450,805	6	11½
Salaries and Allowances - - - - - do. - - - -				90,181	12	0¾
Officers of Courts of Justice - - - - - do. - - - -				280,443	1	10¾
Expenses of the Mint - - - - - - do. - - - -				15,647	15	10
Bounties - - - - - - - - do. - - - -				2,956	13	8
Miscellaneous - - - - - - - - do. - - - -				356,945	2	7
Advances out of the Consolidated Fund in England, for Public Works				5,000	0	0
Do. - - Ireland - - - - - do. - - - .				428,755	13	10½
				31,947,450	0	3¾
Exchequer Bills issued to make good the charge of the Consolidated Fund, to 5th January, 1831				4,327,966	16	0
				36,275,416	16	3¾
Surplus of the Consolidated Fund				14,128,018	4	5¼
				50,403,435	0	9

An Account of the State of the PUBLIC FUNDED DEBT of GREAT BRI-

DEBT.

——	1. CAPITALS.			2. CAPITALS transferred to the Commissioners.			3. CAPITALS UNREDEEMED.		
GREAT BRITAIN.	£.	s.	d.	£.	s.	d.	£.	s.	d.
Debt due to the South Sea Company - - } at £3. per cent	3,662,784	8	6½	-	-	-	3,662,784	8	6½
Old South Sea Annuities - do.	3,497,870	2	7	-	-	-	3,497,870	2	7
New South Sea Annuities - do.	2,460,830	2	10	-	-	-	2,460,830	2	10
South Sea Annuities, 1751 - do.	523,100	0	0	-	-	-	523,100	0	0
Debt due to the Bank of England do.	14,686,800	0	0	-	-	-	14,686,800	0	0
Bank Annuities, created in 1726 do.	876,494	0	0	444	1	0	876,049	19	0
Consolidated Annuities - - do.	348,719,961	6	4¼	702,428	18	10	348,017,532	7	6¼
Reduced Annuities - - - do.	124,334,481	5	5	729,768	13	8	123,604,712	11	9
TOTAL at £.3 per cent	498,762,321	5	8¾	1,432,641	13	6	497,329,679	12	2¾
Annuities - - at 3½ per cent, 1818...	12,553,755	17	2	-	-	-	12,553,755	17	2
Reduced Annuities at - - do.	63,396,082	10	3	9,374	18	2	63,386,707	12	1
New 3½ per cent Annuities..................	138,087,197	5	3	8,215	3	8	138,078,982	1	7
Annuities created 1826, at 4 per cent ...	10,804,595	0	0	-	-	-	10,804,595	0	0
New 5 per cent Annuities	462,736	13	4	-	-	-	462,736	13	4
Great Britain	724,066,688	11	8¾	1,450,231	15	4	722,616,456	16	4¾
In IRELAND.									
Irish Consolidated £.3 per cent Annuities	2,673,545	10	7	-	-	-	2,673,545	10	7
Irish Reduced £.3 per cent Annuities ...	145,078	17	10	-	-	-	145,078	17	10
£.3½ per cent Debentures and Stock ...	14,520,904	1	11	-	-	-	14,520,904	1	11
Reduced £.3½ per cent Annuities.........	1,277,768	17	10	-	-	-	1,277,768	17	10
New 3½ per cent Annuities..................	11,672,700	7	6	-	-	-	11,672,700	7	6
Debt due to the Bank of Ireland at £.4 per cent	1,615,384	12	4	-	-	-	1,615,384	12	4
New £.5 per cent Annuities................	6,661	1	0	-	-	-	6,661	1	0
Debt due to the Bank of Ireland at £.5 per cent	1,015,384	12	4	-	-	-	1,015,384	12	4
Ireland	32,927,428	1	4	-	-	-	32,927,428	1	4
TOTAL United Kingdom ...	756,994,116	13	0¾	1,450,231	15	4	755,543,884	17	8¾

The Act 10 Geo. IV. c. 27, which came into operation at the 5th July 1829, enacts, That the Sum thenceforth annually applicable to the Reduction of the National Debt of the United Kingdom shall be the Sum which shall appear to be the amount of the whole actual annual surplus Revenue, beyond the Expenditure of the said United Kingdom; and the following Sums have been accordingly issued to the Commissioners, to be applied to the reduction of the said Debt, including Interest receivable on account of Donations and Bequests:—

	£.	s.	d.	
At 6th April 1831....................	728,439	5	7	......includes 21*l.* from Ann Jane Horsley.
6th July 1831	724,019	16	5	
11th October 1831	473,818	8	9	
6th January 1832	2,821	18	1	......Interest on account of Donations and Bequests.
	1,929,099	8	10	

TAIN and IRELAND, and the CHARGE thereupon, at the 5th January, 1832.

CHARGE.

—		IN GREAT BRITAIN.			IN IRELAND.			TOTAL ANNUAL CHARGE.		
		£.	s.	d.	£.	s.	d.	£.	s.	d.
Due to the Public Creditor.	Annual Interest on Unredeemed Capital	22,865,891	13	0½	1,161,774	9	5¾			
	Long Annuities, expire 1860 ...	1,193,033	5	4	67	18	1			
	Annuities per 4 Geo. IV. c. 22, do. 1867........................	585,740	0	0	—					
	Annuities per 10 Geo. IV. c. 24, expire at various periods	777,301	16	6	—					
	Annuities to the Trustees of the Waterloo Subscription Fund per 59 Geo. III. c. 34, expire 5th July, 1832	6,200	0	0	—					
	Life Annuities per 48 Geo. III. c. 142, and 10 Geo. IV. c. 24.	718,489	9	0	—					
	Life Annuities payable at the Exchequer. English	23,142	1	4	—					
	Life Annuities payable at the Exchequer. Irish	35,476	18	7	7,038	0	9			
		26,205,275	3	9½	1,168,880	8	3¾			
Annual Interest on Stock transferred to the Commissioners for the Reduction of the National Debt, towards the Redemption of Land Tax under Schedules C. D. 1 & D. 2, per 53 Geo. 3, c. 123.................		10,847	9	1	—					
Management		273,296	8	9¾	—					
TOTAL ANNUAL CHARGE...		26,489,419	1	8¼	1,168,880	8	3¾	27,658,299	10	0

ABSTRACT.

(⁂ *Shillings and Pence omitted.*)

—	CAPITALS.	CAPITALS transferred to the Commissioners.	CAPITALS unredeemed.	ANNUAL CHARGE.		
				Due to the Public Creditor.	MANAGEMENT.	TOTAL.
	£.	£.	£.	£.	£.	£.
Great Britain.............. ...	724,066,688	1,450,231	722,616,456	26,216,122	273,296	26,489,419
Ireland	32,927,428	—	32,927,428	1,168,880	—	1,168,880
	756,994,116	* 1,450,231	755,543,884	27,385,003	273,296	27,658,299

	£.	s.	d.
* On account of Donations and Bequests	188,127	0	0
Do. of Stock unclaimed 10 years or upwards..........	226,122	13	6
Do. of Unclaimed Dividends	674,400	0	0
	1,088,649	13	6
Do. of Land Tax, Schedules C. D 1; and D 2	361,582	1	10
	1,450,231	15	4

DEFERRED ANNUITIES OUTSTANDING:

		£.	s.	d.
Deferred Life Annuities, per 10 Geo. 4, c. 24........		1,609	11	0
Deferred Annuities for terms of years, per do...........		20	0	0
Payable to the Trustees of the Waterloo Fund, per 59 Geo. 3, c. 34	in 1833	7,900	0	0
	— 1834	6,300	0	0
	— 1835	4,000	0	0
	— 1836	9,000	0	0
	— 1837	2,900	0	0
		31,729	11	0

CLASS V.—UNFUNDED DEBT.

An Account of the UNFUNDED DEBT of Great Britain and Ireland, and of the Demands outstanding on 5th January, 1832.

—	PROVIDED.			UNPROVIDED.			TOTAL.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.
Exchequer Bills, (exclusive of £39,450 and £1,582,000 issued for paying off £4 per cents)	-	-	-	25,896,600	0	0	25,896,600	0	0
Exchequer Bills outstanding, of the Amount issued per Act 11 Geo. 4, c. 26, for paying off Proprietors of £4 per cent Annuities, on 5th January, 1832	-	-	-	1,582,000	0	0	1,582,000	0	0
				27,478,600	0	0	27,478,600	0	0
Sums remaining unpaid, charged upon Aids granted by Parliament	3,668,262	13	5	-	-	-	3,668,262	13	5
Advances made out of the Consolidated Fund in Ireland, towards the Supplies which are to be repaid to the Consolidated Fund out of the Ways and Means in Great Britain	482,930	8	9½	-	-	-	482,930	8	9½
Total Unfunded Debt and Demands Outstanding	4,151,193	2	2½	27,478,600	0	0	31,629,793	2	2½
Ways and Means	5,622,526	5	0¼	—			—		
Surplus Ways and Means	1,471,333	2	9¾	—			—		
Exchequer Bills to be issued to complete the Charge upon the Consolidated Fund	-	-	-	5,768,347	10	4¾	5,768,347	10	4¾

CLASS VI.—DISPOSITION OF GRANTS.

An Account showing how the MONIES given for the SERVICE of the United Kingdom of GREAT BRITAIN and IRELAND, for the Year 1831, have been disposed of; distinguished under their several Heads; to 5th January, 1832.

SERVICES.	SUMS Voted or Granted.			SUMS Paid.		
	£.	s.	d.	£.	s.	d.
NAVY	5,870,551	1	8	4,365,000	0	0
ORDNANCE	1,418,817	0	0	888,500	0	0
FORCES	7,732,967	13	6	5,594,215	6	7
For defraying the Charge of Civil Contingencies; for the year 1831	80,000	0	0	73,860	9	8
To defray the Salaries and Allowances to the Officers of the Houses of Lords and Commons; for the year 1831	43,200	0	0	43,200	0	0
To defray the Expenses of the Houses of Lords and Commons; for the year 1831	31,900	0	0	24,500	0	0
To make good the Deficiency of the Fee Fund, in the Department of his Majesty's Treasury; for the year 1831	45,400	0	0	32,100	0	0
To make good the Deficiency of the Fee Fund, in the Department of his Majesty's Home Secretary of State; for the year 1831 ...	11,137	0	0	11,137	0	0
To make good the Deficiency of the Fee Fund, in the Department of his Majesty's Foreign Secretary of State; for the year 1831.	15,709	0	0	14,000	0	0
To make good the Deficiency of the Fee Fund, in the Department of his Majesty's Secretary of State for the Colonies; for the year 1831	16,475	0	0	16,475	0	0
To make good the Deficiency of the Fee Fund, in the Department of his Majesty's most honourable Privy Council and Committee of Privy Council for Trade; for the year 1831...	18,664	0	0	14,871	14	5
To defray the Contingent Expenses and Messengers' Bills, in the Department of his Majesty's Treasury; for the year 1831 ...	9,375	0	0	9,375	0	0
To defray the Contingent Expenses and Messengers' Bills, in the Department of his Majesty's Home Secretary of State; for the year 1831	8,373	0	0	7,584	0	0
To defray the Contingent Expenses and Messengers' Bills, in the Department of his Majesty's Foreign Secretary of State; for the year 1831	35,155	0	0	33,000	0	0
To defray the Contingent Expenses and Messengers' Bills, in the Department of his Majesty's Secretary of State for the Colonies; for the year 1831	8,430	0	0	5,500	0	0
To defray the Contingent Expenses and Messengers' Bills, in the Departments of his Majesty's most honourable Privy Council and Committee of Privy Council, for Trade; for the year 1831.	2,880	0	0	2,880	0	0
To defray the Expenses of Messengers attending the First Lord of the Treasury and Chancellor of the Exchequer, the four Patent Messengers of the Court of Exchequer, and various ancient Allowances to Officers of that Court and others	2,800	0	0	2,800	0	0
To pay the Salaries or Allowances granted to certain Professors in the Universities of Oxford and Cambridge, for reading Courses of Lectures; for the year 1831	958	5	0	958	5	0
To make good the Deficiency of the Fee Fund, in the Office of Registry of Colonial Slaves, in Great Britain; for the year 1831	1,070	0	0	782	12	9
To defray the Expenses of the State Paper Office; for the year 1831	2,200	0	0	1,593	18	3
To pay the usual Allowances to Protestant Dissenting Ministers in England, poor French Protestant Refugee Laity, and sundry small charitable and other Allowances to the Poor of Saint Martin-in-the-Fields, and others; for the year 1831	5,612	0	0	2,334	17	0
To defray the Expense of Printing Acts and Bills, Reports, and						

SERVICES—*continued.*	SUMS Voted or Granted.			SUMS Paid.		
	£.	s.	d.	£.	s.	d.
other Papers, for the two Houses of Parliament; for the year 1831	104,300	0	0	52,178	16	1½
To defray the extraordinary Expenses of the Mint, in the Coinage of Gold; for the year 1831	15,000	0	0	7,000	0	0
To defray the extraordinary Expenses that may be incurred for Prosecutions for Offences against the Laws relating to Coin; for the year 1831	8,000	0	0	8,000	0	0
To defray the Expense of Law Charges; for the year 1831 ...	15,000	0	0	10,000	0	0
To defray the Expenses incurred for the support of Captured Negroes, Liberated Africans, et cetera; for the year 1831, under the several Acts for the Abolition of the Slave Trade ...	25,000	0	0	25,000	0	0
To defray, in the year 1831, the Amount of Bills drawn from New South Wales and Van Diemen's Land, on account of the Expenses incurred at those Settlements for Convicts	120,000	0	0	—		
The following SERVICES are directed to be paid without any Fee or other Deductions whatsoever:						
For defraying the CHARGE of the CIVIL ESTABLISHMENTS undermentioned; viz.						
Of the Bahama Islands, in addition to the Salaries now paid to the Public Officers out of the Duty Fund and the incidental Charges attending the same; for the year 1831	2,940	0	0	2,400	0	0
Of Nova Scotia; for the year 1831	6,625	0	0	5,700	0	0
Of the Islands of Bermuda; for the year 1831	4,000	0	0	2,000	0	0
Of Prince Edward's Island; for the year 1831	3,320	0	0	2,920	0	0
Of the Island of Newfoundland; for the year 1831	11,261	0	0	5,900	0	0
Of Sierra Leone; for the year 1831	9,730	15	10	—		
Of the Forts at Cape Coast Castle and Accra; for the year 1831...	4,000	0	0	—		
Of Fernando Po; for the year 1831	37,154	0	0	12,107	19	11
Of the Settlement in Western Australia; for the year 1831 ...	24,895	0	0	12,230	15	8
To defray the estimated Expenditure of the British Museum, for the year ending at Christmas 1831	14,451	0	0	14,451	0	0
To defray, in the year 1831, the Expense of Works and Repairs of Public Buildings, and for Furniture and other Charges defrayed by the Office of Works, and for the Repairs and Alterations of Royal Palaces, and Works in the Royal Gardens, heretofore charged upon the Civil List, and for Repairs of the Royal Palace of Holyrood House and certain Public Buildings in Scotland, heretofore charged on the Hereditary Revenues of Scotland	73,800	0	0	22,358	8	9
To defray the Expense of Works executing at Port Patrick Harbour; for the year 1831	4,770	0	0	4,770	0	0
To defray the Expense of Works executing at Donaghadee Harbour; for the year 1831	4,000	0	0	4,000	0	0
To defray the Expense of the New Buildings at the British Museum; for the year 1831	12,000	0	0	4,069	15	1
To defray the Expenses of the Holyhead and Howth Roads and Harbours; for the year 1831	4,700	0	0	4,700	0	0
Towards defraying the Expense of erecting, in the year 1831, a Custom House, Excise Office, Stamp Office, and Post Office, at Liverpool, and also an Office for the Liverpool Dock Company	25,000	0	0	25,000	0	0
To defray the Charge of Retired Allowances or Superannuations to Persons formerly employed in Public Offices or Departments, or in the Public Service; for the year 1831	15,798	10	0	11,353	0	2
To pay the Salaries of the Commissioners of the Insolvent Debtors' Court, of their Clerks, and the Contingent Expenses of their Office; for the year 1831, and also the Expenses attendant upon the Circuit	13,156	0	0	6,000	0	0
To pay, in the year 1831, the Salaries of the Officers, and the contingent Expenses of the Office for the Superintendance of Aliens, and also the Superannuation or Retired Allowances to Officers, formerly employed in that Service	3,856	0	0	3,000	0	0
To defray the Expense of the Establishment of the Penitentiary at Millbank; for the year 1831	8,565	0	0	4,000	0	0

SERVICES—*continued.*	SUMS Voted or Granted.			SUMS Paid.		
	£.	s.	d.	£.	s.	d.
To defray the Expense of the Office of Works; for the year 1831.	11,269	0	0	7,631	11	0
To enable his Majesty to grant relief, in the year 1831, to Toulonese and Corsican Emigrants, Dutch Naval Officers, Saint Domingo Sufferers, American Loyalists, and others who have heretofore received Allowances from his Majesty, and who, from Services performed or losses sustained in the British Service, have special Claims upon his Majesty's Justice and Liberality	15,920	0	0	9,450	0	0
To defray the Expense of the National Vaccine Establishment; for the year 1831	2,500	0	0	2,500	0	0
For the support of the Institution called the "Refuge for the Destitute;" for the year 1831	3,000	0	0	3,000	0	0
To defray the Expense of confining and maintaining Criminal Lunatics; for the year 1831	3,039	0	0	2,789	2	11
For his Majesty's Foreign and other Secret Services; for the year 1831	41,000	0	0	29,775	0	0
To defray the Expense of providing Stationery, Printing and Binding for the several Public Departments of Government; for the year 1831; and also for providing Paper for the Printing which may be ordered in the year 1832 by the two Houses of Parliament, and for the Charge of the Stationery Office	129,471	0	0	70,000	0	0
To defray the Expense attending the confining, maintaining and employing Convicts at Home and in Bermuda; for the year 1831	108,165	0	0	108,165	0	0
To pay, in the year 1831, the Salaries and incidental Expenses of the Commissioners appointed on the part of his Majesty, under the Treaties with Spain, Portugal, and the Netherlands, for preventing the illegal Traffic in Slaves, and for Pensions to retired Commissioners	19,450	0	0	1,300	0	0
To defray the Expense, in the year 1831, of paying the Fees due and payable to the Officers of the Parliament on all Bills for continuing or amending any Acts for making or maintaining, keeping in repair, or improving Turnpike Roads, which shall pass the two Houses of Parliament, and receive the Royal Assent ...	14,250	0	0	12,980	8	
To defray, in the year 1831, the Expenses of the Commissioners appointed to inquire into the Practice and Proceedings of the Superior Courts of Common Law, and into the Law of England respecting Real Property...	29,900	0	0	28,700	0	0
For the purchase of the Pension granted by his late Majesty King William the Third to James Waller, and regranted by his late Majesty King George the Second to Charles Hooper, Philip Martin, and their Heirs	1,846	3	0	—		
To defray the Expense of Printing under the direction of the Commissioners on Public Records; for the year 1831 ...	10,500	0	0	10,500	0	0
To defray the Charge of the Salaries of his Majesty's Consuls General and Consuls, for the year 1831; and also for all Contingent Charges and Expenses connected with the Public Duties and Establishments of such Consuls General and Consuls, and for paying the amount of Superannuation Allowances granted to retired Consuls; for the year 1831	112,195	0	0	57,633	12	7
To defray the Expenses of the Society for the Propagation of the Gospel in certain of his Majesty's Colonies; for the year 1831...	16,182	0	0	16,019	10	0
To defray the Charge, in the year 1831, of providing Stores for New South Wales and Van Diemen's Land, for Convicts, Clothing and Tools for liberated Africans at Sierra Leone, and Indian Presents for Canada	47,500	0	0	—		
To defray the Charge, in the year 1831, of improving the Water Communication between Montreal and the Ottawa, from the Ottawa to Kingston, and from Lake Erie to Lake Ontario ...	296,000	0	0	296,000	0	0
To make good the losses sustained by Louis Celeste Lescene and John Escoffery, in consequence of their removal from Jamaica in the year 1823, by order of the Duke of Manchester, the Governor of that Island	11,276	19	5	11,276	19	5
To defray the Expenses which may probably be incurred at the Coronation of their Majesties	50,000	0	0	50,000	0	0
To defray the Expense incurred and to be incurred in the year 1831, in carrying on the Repairs and Alterations at Windsor						

SERVICES—*continued.*	SUMS Voted or Granted.			SUMS Paid.		
	£.	*s.*	*d.*	*£.*	*s.*	*d.*
Castle, and in providing Furniture, and on account of Debts for Work done and Contracts entered into for Buckingham House, previous to the 15th day of February 1831	163,670	9	2	62,101	12	10
To provide for the payment of certain Salaries, Allowances, Pensions and Services heretofore paid out of the Civil List for England and Ireland, the Hereditary Revenues of the Crown in Scotland, and the Four-and-Half per Cent Duty, but for which no provision has been made in the Civil List granted to his present Majesty, from the periods to which the said Services were severally last paid, to the 5th day of July 1831	240,000	0	0	225,677	6	0¼
To defray, in the year 1831, certain Charges in Scotland, heretofore paid out of the Hereditary Revenues, or out of the Customs and Excise Revenues, in their progress to the Exchequer	39,835	0	0	16,621	11	9
To provide for the payment of certain Salaries, Allowances, Pensions, and Services heretofore paid out of the Civil List of England and Ireland, the Hereditary Revenues of the Crown in Scotland, and the Four-and-Half per Cent Duty, but for which no provision has been made in the Civil List of his present Majesty, from the period to which the said Services were severally last paid, to the 10th day of October 1831	120,000	0	0	86,982	10	9¼
For defraying the Charge of the following Services in Ireland, which are directed to be paid Net in British Currency:						
To defray the Expense of the Protestant Charter Schools; for the year 1831	5,794	0	0	5,794	0	0
To defray the Expense of the Foundling Hospital in Dublin; for the year 1831	27,824	0	0	27,824	0	0
To defray the Expense of the House of Industry in Dublin, the Lunatic Department, and the Three General Hospitals attached; for the year 1831	21,200	0	0	15,000	0	0
To defray the Expense of the Richmond Lunatic Asylum; for the year 1831	1,388	0	0	1,388	0	0
To defray the Expense of the Hibernian Society for Soldiers' Children; for the year 1831	6,323	0	0	6,323	0	0
To defray the Expense of the Hibernian Marine Society; for the year 1831	1,268	0	0	1,268	0	0
To defray the Expense of the Female Orphan House in Dublin; for the year 1831	1,291	0	0	1,291	0	0
To defray the Expense of the Westmorland Lock Hospital; for the year 1831	2,900	0	0	2,900	0	0
To defray the Expense of the Lying-in Hospital; for the year 1831	2,000	0	0	1,000	0	0
To defray the Expense of Dr. Steevens's Hospital; for the year 1831	1,578	0	0	1,578	0	0
To defray the Expense of the Fever Hospital, Cork-street, Dublin; for the year 1831	2,860	0	0	2,860	0	0
To defray the Expense of the Hospital for Incurables; for the year 1831	465	0	0	465	0	0
To defray the Expense of the Royal Dublin Society; for the year 1831	5,500	0	0	5,500	0	0
To defray the Expense of the Royal Irish Academy; for the year 1831	300	0	0	300	0	0
To defray the Expense of the Belfast Academical Institution; for the year 1831	1,500	0	0	1,500	0	0
To enable the Lord Lieutenant of Ireland to issue Money in aid of Schools and for the Advancement of Education	30,000	0	0	26,670	19	11
To defray the Expense of the Roman Catholic College at Maynooth; for the year 1831	8,928	0	0	6,696	0	0
To defray the Expense of the Board of Charitable Bequests; for the year 1831	700	0	0	700	0	0
To defray the Expense of the Board of Works; for the year 1831	12,900	0	0	2,890	8	4
To pay the Salaries and other Expenses of the Chief and Under Secretaries' Offices and Apartments and other Public Offices in Dublin Castle, &c.; and also for Riding Charges and other Expenses of the Deputy Pursuivants and Messengers attending the said Offices; also, Superannuated Allowances in the Chief Secretary's Office; for the year 1831	30,419	0	0	20,851	5	9

SERVICES—*continued.*		SUMS Voted or Granted.			SUMS Paid.		
		£.	s.	d.	£.	s.	d.
To defray, in the year 1831, the Charge of Salaries for the Attendants and Officers of the Household of the Lord Lieutenant of Ireland, and certain other Officers and Services formerly charged on the Civil List in Ireland		16,379	14	1	12,993	7	8½
To defray the Charge of the Office of the Vice Treasurer of Ireland; for the year 1831		5,534	0	0	4,274	5	9
To defray the Charge of the Office of the Teller of his Majesty's Exchequer in Ireland; for the year 1831		1,680	0	0	1,260	0	0
To defray the Expense of printing Proclamations and other matters of a Public nature in the Dublin Gazette and other Newspapers in Ireland, and of printing Statutes in Ireland; for the year 1831		4,600	0	0	3,901	18	0
To defray the Expense of Criminal Prosecutions and other Law Expenses in Ireland; for the year 1831		50,000	0	0	49,418	9	1
To defray the Expense of Nonconforming, Seceding and Protestant Dissenting Ministers in Ireland; for the year 1831		21,741	15	0	15,013	2	2
To pay the Salaries of the Lottery Officers in Ireland, for one year ending on the 24th day of June 1831		470	15	5	470	15	5
To defray the Expense of Inland Navigations in Ireland; for the year 1831		2,650	0	0	2,650	0	0
To defray the Expenses of the Police and Watch Establishments of the City of Dublin; for the year 1831		20,853	0	0	20,853	0	0
To defray the Expense of the Commissioners of Judicial Inquiry; for the year 1831		3,784	0	0	3,694	13	6
To defray, in the year 1831, the Expense of the Record Works, not yet completed		1,000	0	0	—		
To provide for the Employment of the Poor and the Relief of Distress in certain Districts in Ireland		40,000	0	0	26,135	18	2
To defray the Salaries of the Commissioners of Public Works in Ireland; for the half-year ending on the 5th day of January 1832		1,100	0	0	—		
To provide for the Amount due under the head of Criminal Prosecutions in Ireland, on the 1st day of January 1831		27,590	0	0	23,243	11	7
		17,782,487	2	1	12,799,621	0	9½
To pay off and discharge Exchequer Bills, and that the same be issued and applied towards paying off and discharging any Exchequer Bills charged on the Aids or Supplies of the years 1830 and 1831, now remaining unpaid and unprovided for ...	25,577,600 0 0						
To pay off and discharge Exchequer Bills issued pursuant to several Acts for carrying on Public Works and Fisheries, and for building additional Churches, outstanding and unprovided for	38,800 0 0	25,616,400	0	0	24,460,650	0	0
		43,398,887	2	1	37,260,271	0	9½

PAYMENTS FOR OTHER SERVICES,

Not being part of the Supplies granted for the Service of the Year.

—	Sums Paid to 5th January 1832.			Estimated further Payments.		
	£.	s.	d.	£.	s.	d.
Grosvenor Charles Bedford, Esq. on his Salary, for additional trouble in preparing Exchequer Bills, pursuant to Act 48 Geo. 3, c. 1	150	0	0	50	0	0
Expenses in the Office of the Commissioners for issuing Exchequer Bills, pursuant to Acts 57 Geo. 3, c. 34 and 124, and 3 Geo. 4, c. 86	2,000	0	0			
Expenses in the Office of the Commissioners for building additional Churches, per Act 58 Geo. 3, c. 45	3,000	0	0			
By Interest on Exchequer Bills:						
On £.12,000,000, per Act 10 Geo. 4, c. 4	17,618	13	5			
13,438,800 - - - - - - - 60	10,000	0	0			
12,000,000 - - 11 Geo. 4, c. 3	190,000	0	0			
13,607,600 - - 1 Will. 4, c. 62	280,000	0	0			
	502,768	13	5	50	0	0
				502,768	13	5
TOTAL Payments for Services not voted				502,818	13	5
Amount of Sums voted				43,398,887	2	1
TOTAL Sums voted, and Payments for Services not voted ...				43,901,705	15	6

WAYS AND MEANS

for answering the foregoing Services:

		£.	s.	d.
Sums to be brought from the Consolidated Fund, per Act 1 Will. 4, c. 9		5,000,000	0	0
- - - - - - - Ditto - - - - - - - - 1 & 2 Will. 4, c. 28... ...		8,000,000	0	0
- - - - - - - Ditto - - - - - - - - - - - - - - 54... ...		1,800,000	0	0
East India Company, per Act 11 Geo. 4, c. 4		60,000	0	0
Repayment by the Commissioners for issuing Exchequer Bills for carrying on Public Works and Fisheries in the United Kingdom		141,793	12	6
Duty on Sugar, per Act 1 Will. 4, c. 23		3,000,000	0	0
Interest on Land-tax redeemed by Money		88	10	6¾
Repayment of an over issue of Salary to Sir William Alexander and Lord Lyndhurst, Chief Barons of the Exchequer in Succession, from 5th January to 5th July 1831.		1,000	0	0
Brought from the Civil List Revenue to replace Sums issued out of the Aids granted for the payment of certain Charges upon the Civil List, pursuant to Act 1 Will. 4, c. 25		166,566	8	8
Surplus Ways and Means, per Act 1 Will. 4, c. 28		93,561	17	0¾
Unclaimed Dividends, after deducting Repayments to the Bank of England for deficiency of Balance in their hands		41,426	9	0
		18,304,436	17	9½
Exchequer Bills voted in Ways and Means; viz.				
Per Act 1 Will. 4, c. 11	£.12,000,000 0 0			
14	13,616,400 0 0			
		25,616,400	0	0
TOTAL Ways and Means		43,920,836	17	9½
TOTAL Grants and Payments for Services not voted		43,901,705	15	6
Surplus Ways and Means		19,131	2	3½

CLASS VII.—ARREARS AND BALANCES.

It is not considered necessary to print this Class of Accounts.

CLASS VIII.—TRADE OF THE UNITED KINGDOM.

An Account of the Value of IMPORTS into, and of EXPORTS from the United Kingdom of Great Britain and Ireland:—Also, the Amount of the Produce and Manufactures of the United Kingdom Exported therefrom, according to the Real or Declared Value thereof.

YEARS ending 5th January.	VALUE OF IMPORTS into the United Kingdom, calculated at the Official Rates of Valuation.			VALUE OF EXPORTS FROM THE UNITED KINGDOM, calculated at the Official Rates of Valuation.									VALUE of the Produce and Manufactures of the United Kingdom Exported therefrom, according to the Real or Declared Value thereof.		
				Produce and Manufactures of the United Kingdom.			Foreign and Colonial Merchandize.			TOTAL EXPORTS.					
	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.
1830....	43,981,317	1	11	56,213,041	15	8	10,622,402	12	4	66,835,444	8	0	35,830,469	14	2
1831....	46,245,241	6	6	61,140,864	15	10	8,550,437	15	9	69,691,302	11	7	38,251,502	10	3
1832....	49,713,889	11	6	60,683,933	8	4	10,745,071	11	3	71,429,004	19	7	37,163,647	13	10

NEW VESSELS BUILT.—An Account of the Number of VESSELS, with the Amount of their TONNAGE, that were Built and Registered in the several Ports of the BRITISH EMPIRE, in the Years ending 5th January, 1830, 1831, and 1832, respectively.

—	In the Years ending the 5th January,					
	1830.		1831.		1832.	
	Vessels.	Tonnage.	Vessels.	Tonnage.	Vessels.	Tonnage.
United Kingdom	718	76,635	730	75,532	742	83,852
Isles Guernsey, Jersey, and Man	16	1,000	20	1,879	18	1,855
British Plantations	416	39,237	367	32,719	243	22,069
TOTAL	1,150	116,872	1,117	110,130	1,003	107,776

Note.—The Account rendered for the Plantations for the year ending 5th January 1831, is now corrected; and as several Returns from the Plantations are not yet received for the last year, a similar correction will be necessary when the next Account is made up.

VESSELS REGISTERED.—An Account of the Number of VESSELS, with the Amount of their TONNAGE and the Number of MEN and BOYS usually employed in Navigating the same, that belonged to the several Ports of the BRITISH EMPIRE, on the 31st December 1829, 1830, and 1831, respectively.

—	On 31st Dec. 1829.			On 31st Dec. 1830.			On 31st Dec. 1831.		
	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.
United Kingdom	18,618	2,168,356	130,809	18,675	2,168,916	130,000	18,942	2,190,457	132,200
Isles Guernsey, Jersey, and Man	492	31,603	3,707	499	32,676	3,649	508	33,899	3,816
British Plantations	4,343	317,041	20,292	4,547	330,227	21,163	4,792	357,608	22,406
TOTAL	23,453	2,517,000	154,808	23,721	2,531,819	154,812	24,242	2,581,964	158,422

NAVIGATION OF THE UNITED KINGDOM—*continued.*

VESSELS EMPLOYED IN THE FOREIGN TRADE.—An Account of the Number of VESSELS, with the Amount of their TONNAGE, and the Number of MEN and BOYS employed in Navigating the same (including their repeated Voyages), that entered Inwards and cleared Outwards, at the several Ports of the United Kingdom, from and to Foreign Parts, during each of the Three Years ending 5th January, 1832.

SHIPPING ENTERED INWARDS IN THE UNITED KINGDOM

From Foreign Parts.

Years ending 5th Jan.	BRITISH AND IRISH VESSELS.			FOREIGN VESSELS.			TOTAL.		
	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.
1830	13,659	2,184,535	122,185	5,218	710,303	39,342	18,877	2,894,838	161,527
1831	13,548	2,180,042	122,103	5,359	758,828	41,670	18,907	2,938,870	163,773
1832	14,488	2,367,322	131,627	6,085	874,605	47,453	20,573	3,241,927	179,080

SHIPPING CLEARED OUTWARDS FROM THE UNITED KINGDOM

To Foreign Parts.

Years ending 5th Jan.	BRITISH AND IRISH VESSELS.			FOREIGN VESSELS.			TOTAL.		
	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.
1830	12,636	2,063,179	119,262	5,094	730,250	38,527	17,730	2,793,429	157,789
1831	12,747	2,102,147	122,025	5,158	758,368	39,769	17,905	2,860,515	161,794
1832	13,791	2,300,731	132,004	5,927	896,051	47,009	19,718	3,196,782	179,013

NAVIGATION OF GREAT BRITAIN.

New Vessels Built.—An Account of the Number of Vessels, with the Amount of their Tonnage, that were Built and Registered in the several Ports of the British Empire (except Ireland), in the Years ending 5th January, 1830, 1831, and 1832, respectively.

—	In the Years ending the 5th January,					
	1830.		1831.		1832.	
	Vessels.	Tonnage.	Vessels.	Tonnage.	Vessels.	Tonnage.
England	517	61,299	529	60,276	555	67,973
Scotland	170	14,023	156	12,692	148	13,454
Isle of Guernsey	1	17	3	439	0	0
— Jersey	7	443	7	896	4	623
— Man	8	540	10	544	14	1,232
British Plantations	416	39,237	367	32,719	243	22,069
Total, (exclusive of Ireland)	1,119	115,559	1072	107,566	964	105,351

Note.—The Account rendered for the Plantations (for the Year ending 5th January, 1831) is now corrected; and as several Returns from the Plantations are not yet received for the last Year, a similar correction will be necessary when the next Account is made up.

Vessels Registered.—An Account of the Number of Vessels, with the Amount of their Tonnage, and the Number of Men and Boys usually employed in Navigating the same, that belonged to the several Ports of the British Empire (except Ireland) on the 31st December, 1829, 1830, and 1831 respectively.

—	On 31st Dec. 1829.			On 31st Dec. 1830.			On 31st Dec. 1831.		
	Vessels.	Tonnage.	Men.	Vessels.	Tonnage.	Men.	Vessels.	Tonnage.	Men.
England	13,977	1,758,065	100,563	14,092	1,767,011	100,357	14,281	1,780,252	101,937
Scotland	3,228	308,297	22,481	3,159	300,085	21,849	3,214	303,631	22,219
Isle of Guernsey	75	7,672	574	77	8,096	593	75	7,906	578
— Jersey	200	18,217	1,761	205	18,601	1,754	212	19,700	1,907
— Man	217	5,714	1,372	217	5,979	1,302	221	6,293	1,331
British Plantations.	4,343	317,041	20,292	4,547	330,227	21,163	4,792	357,608	22,406
Total, (exclusive of Ireland)	22,040	2,415,006	147,043	22,297	2,429,999	147,018	22,795	2475,390	150,378

NAVIGATION OF IRELAND.

New Vessels Built.—An Account of the Number of Vessels, with the Amount of their Tonnage, that were Built and Registered in the several Ports of Ireland, in the Years ending 5th January, 1830, 1831, and 1832, respectively.

—	Vessels.	Tonnage.
Year ending 5th January 1830	31	1,313
— 1831	45	2,564
— 1832	39	2,425

Vessels Registered.—An Account of the Number of Vessels, with the Amount of their Tonnage, and the Number of Men and Boys usually employed in Navigating the same, that belonged to the several Ports of Ireland, on the 31st December, 1829, 1830, and 1831, respectively.

—	Vessels.	Tons.	Men.
On the 31st December 1829	1,413	101,994	7,765
— 1830	1,424	101,820	7,794
— 1831	1,447	106,574	8,044

NAVIGATION OF GREAT BRITAIN.

Vessels employed in the Foreign Trade.—An Account of the Number of Ves-
ployed in Navigating the same, (including their repeated Voyages,) that entered
to all Parts of the World, during each of the Three Years ending 5th January,
cleared Outwards, during the same Period,

SHIPPING ENTERED INWARDS IN GREAT BRITAIN

From all Parts of the World.

Years ending 5th Jan.	BRITISH AND IRISH VESSELS.			FOREIGN VESSELS.			TOTAL.		
	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.
1830	23,536	3,096,759	186,719	5,028	682,048	37,639	28,564	3,778,807	224,358
1831	23,086	3,088,498	188,538	5,212	736,297	40,262	28,298	3,824,795	228,800
1832	24,109	3,294,631	198,902	5,910	847,320	45,865	30,019	4,141,951	244,767

SHIPPING CLEARED OUTWARDS FROM GREAT BRITAIN,

To all Parts of the World.

Years ending 5th Jan.	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.
1830	25,543	3,240,205	192,364	4,942	706,089	37,103	30,485	3,946,294	229,467
1831	25,338	3,234,707	194,862	5,021	736,207	38,486	30,359	3,970,914	233,348
1832	26,336	3,421,251	204,957	5,768	869,856	45,518	32,104	4,291,107	250,475

NAVIGATION OF GREAT BRITAIN—*continued.*

SELS, with the Amount of their TONNAGE, and the Number of MEN and BOYS em-
Inwards and cleared Outwards at the several Ports of GREAT BRITAIN, from and
1832:—Also, showing the Number and Tonnage of Shipping entered Inwards and
exclusive of the Intercourse with Ireland.

SHIPPING ENTERED INWARDS IN GREAT BRITAIN

From all Parts (except Ireland.)

Years ending 5th Jan.	BRITISH AND IRISH VESSELS.			FOREIGN VESSELS.			TOTAL.		
	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.
1830	12,756	2,033,853	113,849	5,028	682,048	37,639	17,784	2,715,901	151,488
1831	12,727	2,036,091	114,201	5,212	736,297	40,262	17,939	2,772,388	154,463
1832	13,748	2,236,446	124,681	5,910	847,320	45,865	19,658	3,083,766	170,546

SHIPPING CLEARED OUTWARDS FROM GREAT BRITAIN

To all Parts (except Ireland.)

Years ending 5th Jan.	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.
1830	12,065	1,954,037	113,387	4,942	706,089	37,103	17,007	2,660,126	150,490
1831	12,194	1,989,060	115,900	5,021	736,207	38,486	17,215	2,725,267	154,386
1832	13,178	2,174,509	125,389	5,768	869,856	45,518	18,946	3,044,365	170,907

NAVIGATION OF IRELAND.

VESSELS EMPLOYED IN THE FOREIGN TRADE.—An Account of the Number of VESSELS, with the Amount of their TONNAGE, and the Number of MEN and BOYS employed in Navigating the same (including their repeated Voyages), that entered Inwards and cleared Outwards at the several Ports of IRELAND, from and to all Parts of the World, during each of the Three Years ending 5th January 1832:—Also, showing the Number and Tonnage of Shipping entered Inwards and cleared Outwards, during the same period, exclusive of the Intercourse with GREAT BRITAIN.

SHIPPING ENTERED INWARDS IN IRELAND,
From all Parts of the World.

Years ending 5th Jan.	BRITISH AND IRISH VESSELS.			FOREIGN VESSELS.			TOTAL.		
	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.
1830	14,781	1,442,722	86,045	190	28,255	1,703	14,971	1,470,977	87,748
1831	14,160	1,385,432	85,544	147	22,531	1,408	14,307	1,407,983	86,952
1832	14,324	1,393,097	84,856	175	27,285	1,588	14,499	1,420,382	86,444

SHIPPING CLEARED OUTWARDS FROM IRELAND,
To all Parts of the World.

	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.
1830	9,493	1,015,300	63,872	152	24,161	1,424	9,645	1,039,461	65,296
1831	9,008	994,052	66,854	137	22,161	1,283	9,145	1,016,213	68,137
1832	9,642	1,047,350	70,226	159	26,195	1,491	9,801	1,073,545	71,717

SHIPPING ENTERED INWARDS IN IRELAND,
From all Parts (except Great Britain).

	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.
1830	903	150,681	8,336	190	28,255	1,703	1,093	178,936	10,039
1831	821	143,951	7,902	147	22,531	1,408	968	166,482	9,310
1832	740	130,876	6,946	175	27,285	1,588	915	158,161	8,534

SHIPPING CLEARED OUTWARDS FROM IRELAND,
To all Parts (except Great Britain).

	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.
1830	571	109,142	5,875	152	24,161	1,424	723	133,303	7,299
1831	553	113,087	6,125	137	22,161	1,283	690	135,248	7,408
1832	613	126,222	6,615	159	26,195	1,491	772	152,417	8,106

(End of Annual Finance Accounts, from 5th Jan. 1831 *to 5th Jan.* 1832.*)*

A N A C T

To amend the Representation of the People in *England* and *Wales*.

[Received the Royal Assent, 7*th June*, 1832.]

Preamble.] WHEREAS it is expedient to take effectual Measures for correcting divers ‘ Abuses that have long prevailed in the Choice of Members to serve in the Commons House ‘ of Parliament, to deprive many inconsiderable Places of the Right of returning Members, ‘ to grant such privilege to large, populous, and wealthy Towns, to increase the Number of ‘ Knights of the Shire, to extend the Elective Franchise to many of His Majesty's Subjects ‘ who have not heretofore enjoyed the same, and to diminish the Expence of Elections ;’ be it therefore enacted by the KING's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

I. [*Certain Boroughs to cease to send Members to Parliament.*] That each of the Boroughs enumerated in the Schedule marked (A.) to this Act annexed, (that is to say,) *Old Sarum, Newtown, St. Michael's* or *Midshall, Gatton, Bramber, Bossiney, Dunwich, Ludgershall, St. Mawe's, Beeralston, West Looe, St. Germain's, Newport, Blechingley, Aldborough, Camelford, Hindon, East Looe, Corfe Castle, Great Bedwin, Yarmouth, Queenborough, Castle Rising, East Grinstead, Higham Ferrers, Wendover, Weobly, Winchelsea, Tregony, Haslemere, Saltash, Orford, Callington, Newton, Ilchester, Boroughbridge, Stockbridge, New Romney, Hedon, Plympton, Seaford, Heytesbury, Steyning, Whitchurch, Wootton Bassett, Downton, Fowey, Milborne Port, Aldeburgh, Minehead, Bishop's Castle, Okehampton, Appleby, Lostwithiel, Brackley,* and *Amersham,* shall from and after the End of this present Parliament cease to return any Member or Members to serve in Parliament.

II. [*Certain Boroughs to return One Member only.*] And be it enacted, That each of the Boroughs enumerated in the Schedule marked (B.) to this Act annexed, (that is to say,) *Petersfield, Ashburton, Eye, Westbury, Wareham, Midhurst, Woodstock, Wilton, Malmesbury, Liskeard, Reigate, Hythe, Droitwich, Lyme Regis, Launceston, Shaftesbury, Thirsk, Christchurch, Horsham, Great Grimsby, Calne, Arundel, St. Ives, Rye, Clitheroe, Morpeth, Helston, North Allerton, Wallingford,* and *Dartmouth,* shall from and after the End of this present Parliament return One Member and no more to serve in Parliament.

III. [*New Boroughs hereafter to return Two Members.*] And be it enacted, That each of the Places named in the Schedule marked (C.) to this Act annexed, (that is to say), *Manchester, Birmingham, Leeds, Greenwich, Sheffield, Sunderland, Devonport, Wolverhampton, Tower Hamlets, Finsbury, Mary-le-bone, Lambeth, Bolton, Bradford, Blackburn, Brighton, Halifax, Macclesfield, Oldham, Stockport, Stoke-upon-Trent,* and *Stroud,* shall for the Purposes of this Act be a Borough, and shall as such Borough include the Place or Places respectively which shall be comprehended within the Boundaries of such Borough, as such Boundaries shall be settled and described by an Act to be passed for that purpose in this present Parliament, which Act, when passed, shall be deemed and taken to be Part of this Act as fully and effectually as if the same were incorporated herewith; and that each of the said Boroughs, named in the said schedule (C.) shall from and after the End of this present Parliament return Two Members to serve in Parliament.

IV. [*New Boroughs hereafter to return One Member.*] And be it enacted, That each of the Places named in the Schedule marked (D.) to this Act annexed, (that is to say), *Ashton-under-Lyne, Bury, Chatham, Cheltenham, Dudley, Frome, Gateshead, Huddersfield, Kidderminster, Kendal, Rochdale, Salford, South Shields, Tynemouth, Wakefield, Walsall, Warrington, Whitby, Whitehaven,* and *Merthyr Tydvil,* shall for the Purposes of this Act be a Borough, and shall as such Borough include the Place or Places respectively which shall be comprehended within the Boundaries of such Borough, as such Boundaries shall be settled and described by an Act to be passed for that Purpose in this present Parliament, which Act, when passed, shall be deemed and taken to be Part of this Act as fully and effectually as if the same were incorporated herewith; and that each of the said Boroughs named in the said Schedule (D.) shall from and after the End of this present Parliament return One Member to serve in Parliament.

V. [*The Boroughs of Shoreham, Cricklade, Aylesbury, and East Retford shall include certain adjacent Districts.*] And be it enacted, That the Borough of *New Shoreham* shall for the Purposes of this Act include the whole of the Rape of *Bramber* in the County of *Sussex,* save and except such Parts of the said Rape as shall be included in the Borough of *Horsham* by an Act to be passed for that Purpose in this present Parliament; and that the Borough of *Cricklade* shall for the Purposes of this Act include the Hundreds and Divisions of *Highworth, Cricklade, Staple, Kingsbridge,* and *Malmsbury* in the County of *Wilts,* save and except such Parts of the said Hundred of *Malmsbury* as shall be included in the Borough of *Malmsbury* by an Act to be passed for that Purpose in this present Parliament; and that the Borough of *Aylesbury* shall for the Purposes of this Act include the Three Hundreds of *Aylesbury* in the County of *Buckingham;* and that the Borough of *East Retford* shall for the Purposes of this Act include the Hundred of *Bassetlaw* in the County of *Nottingham,* and all Places locally situate within the outside Boundary or Limit of the Hundred of *Bassetlaw,* or surrounded by such boundary and by any Part of the County of *Lincoln* or County of *York.*

VI. [*Weymouth and Melcombe Regis to return Two Members only, &c.*] And be it enacted, That the Borough of *Weymouth* and *Melcombe Regis* shall from and after the End of this present Parliament return Two Members, and no more, to serve in Parliament; and that the Borough of *Penryn* shall for the Purposes of this Act include the Town of *Falmouth;* and that the Borough of *Sandwich* shall for the Purposes of this Act include the Parishes of *Deal* and *Walmer.*

VII. [*Boundaries of existing Boroughs in England to be settled.*] And be it enacted, That every City and Borough in *England* which now returns a Member or Members to serve in Parliament, and every Place sharing in the Election therewith, (except the several Boroughs enumerated in the said Schedule (A.), and except the several Boroughs of *New Shoreham, Cricklade, Aylesbury,* and *East Retford*) shall, and each of the said Boroughs of *Penryn* and *Sandwich* also shall, for the Purposes of this Act, include the Place or Places respectively which shall be comprehended within the Boundaries of every such City, Borough, or Place, as such Boundaries shall be settled and described by an Act to be passed for that Purpose in this present Parliament, which Act, when passed, shall be deemed and taken to be Part of this Act as fully and effectually as if the same were incorporated herewith.

VIII. [*Places in Wales to have a Share in Elections for the Shire-Towns.*] And be it enacted, That each of the Places named in the First Column of the Schedule (E.) to this Act annexed shall have a Share in the Election of a Member to serve in all future Parliaments for the Shire-Town or Borough which is mentioned in conjunction therewith, and named in the Second Column of the said Schedule (E.).

IX. [*Boundaries of Shire-Towns and Places in Wales to be settled.*] And be it enacted, That each of the Places named in the First Column of the said Schedule (E.) and each of the Shire-Towns or Boroughs named in the Second Column of the said Schedule (E.) and the Borough of *Brecon,* shall for the Purposes of this Act include the Place or Places respectively which shall be comprehended within the Boundaries of each of the said Places, Shire-Towns, and Boroughs respectively, as such Boundaries shall be settled and described by an Act to be passed for that Purpose in this present Parliament, which Act, when passed, shall be deemed and taken to be Part of this Act as fully and effectually as if the same were incorporated herewith.

X. [*Swansea, Loughor, Neath, Aberavon, and Ken-fig to form One Borough, and Electors thereof not to vote for a Member for Cardiff.*] And be it enacted, That each of the Towns of *Swansea, Loughor, Neath, Aberavon,* and *Ken-fig* shall for the Purposes of this Act include the Place or Places respectively which shall be comprehended within the Boundaries of each of the said Towns, as such Boundaries shall be settled and described by an Act to be passed for that Purpose in this present Parliament, which Act, when passed, shall be deemed and taken to be Part of this Act as fully and effectually as if the same were incorporated herewith; and that the said Five Towns, so including as aforesaid, shall for the Purposes of this Act be One Borough, and shall as such Borough, from and after the End of this present Parliament, return One Member to serve in Parliament; and that the Portreeve of *Swansea* shall be the Returning Officer for the said Borough; and that no Person, by reason of any Right accruing in any of the said Five Towns, shall have any Vote in the Election of a Member to serve in any future Parliament for the Borough of *Cardiff.*

XI. [*Description of the Returning Officers for the new Boroughs.... Who disqualified.... Who exempt.... Proviso.*] And be it enacted, That the Persons respectively described in the said Schedules (C.) and (D.) shall be the Returning Officers at all Elections of a Member or Members to serve in Parliament for the Boroughs in conjunction with which such Persons are respectively mentioned in the said Schedules (C.) and (D.); and that for those Boroughs in the said Schedules for which no Persons are mentioned in such Schedules as Returning Officers the Sheriff for the Time being of the County in which such Boroughs are respectively situate, shall, within Two Months after the passing of this Act, and in every succeeding respective Year in the Month of *March,* by Writing under his Hand, to be delivered to the Clerk of the Peace of the County within One Week, and to be by such Clerk of the Peace filed and preserved with the Records of his Office, nominate and appoint for each of such Boroughs a fit Person, being resident therein, to be, and such Person so nominated and appointed shall accordingly be, the Returning Officer for each of such Boroughs respectively until the Nomination to be made in the succeeding *March;* and in the event of the Death of any such Person, or of his becoming incapable to act by reason of Sickness or other sufficient Impediment, the Sheriff for the Time being shall on Notice thereof forthwith nominate and appoint in his Stead a fit Person, being so resident as aforesaid, to be, and such Person so nominated and appointed shall accordingly be, the Returning Officer for such Borough for the Remainder of the then current Year; and no Person, having been so nominated and appointed as Returning Officer for any Borough, shall after the Expiration of his Office be compellable at any Time thereafter to serve again in the said Office for the same Borough: Provided always, that no Person being in Holy Orders, nor any Churchwarden or Overseer of the Poor within any such Borough, shall be nominated or appointed as such Returning Officer for the same; and that no Person nominated and appointed as Returning Officer for any Borough now sending or hereafter to send Members to Parliament shall be appointed a Churchwarden or Overseer of the Poor therein during the Time for which he shall be such Returning Officer: Provided also, that no Person qualified to be elected to serve as a Member in Parliament shall be compellable to serve as Returning Officer for any Borough for which he shall have been nominated and appointed by the Sheriff as aforesaid, if within One Week after he shall have received Notice of his Nomination and Appointment as Returning Officer he shall make Oath of such Qualification before any Justice of the Peace, and shall forthwith notify the same to the Sheriff: Provided also, that in case His Majesty shall be pleased to grant His Royal Charter of Incorporation to any of the Boroughs named in the said Schedules (C.) and (D.) which are not now incorporated, and shall by such Charter give Power to elect a Mayor or other Chief Municipal Officer for any such Borough, then and in every such Case such Mayor or other Chief Municipal Officer for the Time being shall be the only Returning Officer for such Borough; and the Provisions hereinbefore contained with regard to the Nomination and Appointment of a Returning Officer for such Borough shall thenceforth cease and determine.

XII. [*Six Knights of the Shire for Yorkshire; Two for each Riding.*] And be it enacted, That in all future Parliaments there shall be Six Knights of the Shire, instead of Four, to serve for the county of *York,* (that is to say,) Two Knights for each of the Three Ridings of the said

County, to be elected in the same Manner, and by the same Classes and Descriptions of Voters, and in respect of the same several Rights of voting, as if each of the Three Ridings were a separate County; and that the Court for the Election of Knights of the Shire for the North Riding of the said County shall be holden at the City of *York*, and the Court for the Election of Knights of the Shire for the West Riding of the said County shall be holden at *Wakefield*, and the Court for the Election of Knights of the Shire for the East Riding of the said County shall be holden at *Beverly*.

XIII. [*Four Knights of the Shire for Lincolnshire; Two for the Parts of Lindsey, Two for Kesteven and Holland.*] And be it enacted, That in all future Parliaments there shall be Four Knights of the Shire, instead of Two, to serve for the County of *Lincoln*, (that is to say,) Two for the Parts of *Lindsey* in the said County, and Two for the Parts of *Kesteven* and *Holland* in the same County; and that such Four Knights shall be chosen in the same Manner, and by the same Classes and Descriptions of Voters, and in respect of the same several Rights of voting, as if the said Parts of *Lindsey* were a separate County, and the said Parts of *Kesteven* and *Holland* together were also a separate County; and that the Court for the Election of Knights of the Shire for the Parts of *Lindsey* in the said County shall be holden at the City of *Lincoln*, and the Court for the Election of Knights of the Shire for the Parts of *Kesteven* and *Holland* in the said County shall be holden at *Sleaford*.

XIV. [*Certain Counties to be divided, and to return Two Knights of the Shire for each Division.*] And be it enacted, That each of the Counties enumerated in the Schedule marked (F.) to this Act annexed shall be divided into Two Divisions, which Divisions shall be settled and described by an Act to be passed for that Purpose in this present Parliament, which Act, when passed, shall be deemed and taken to be Part of this Act as fully and effectually as if the same were incorporated herewith; and that in all future Parliaments there shall be Four Knights of the Shire, instead of Two, to serve for each of the said Counties, (that is to say,) Two Knights of the Shire for each Division of the said Counties; and that such Knights shall be chosen in the same Manner, and by the same Classes and Descriptions of Voters, and in respect of the same several Rights of voting, as if each of the said Divisions were a separate County; and that the Court for the Election of Knights of the Shire for each Division of the said Counties shall be holden at the Place to be named for that Purpose in the Act so to be passed as aforesaid, for settling and describing the Divisions of the said Counties.

XV. [*Certain Counties to return Three Knights of the Shire.*] And be it enacted, That in all future Parliaments there shall be Three Knights of the Shire, instead of Two, to serve for each of the Counties enumerated in the Schedule marked (F. 2.) to this Act annexed, and Two Knights of the Shire, instead of One, to serve for each of the Counties of *Carmarthen*, *Denbigh*, and *Glamorgan*.

XVI. [*Isle of Wight, severed from Hampshire, to return a Member.*] And be it enacted, That the *Isle of Wight* in the County of *Southampton* shall for the Purposes of this Act be a County of itself, separate and apart from the County of *Southampton*, and shall return One Knight of the Shire to serve in every future Parliament; and that such Knight shall be chosen by the same Classes and Descriptions of Voters, and in respect of the same several Rights of voting, as any Knight of the Shire shall be chosen in any County in *England*; and that all Elections for the said County of the *Isle of Wight* shall be holden at the Town of *Newport* in the *Isle of Wight*, and the Sheriff of the *Isle of Wight*, or his Deputy, shall be the Returning Officer at such Elections.

XVII. [*Towns which are Counties of themselves to be included in adjoining Counties for County Elections.*] And be it enacted, That for the Purpose of electing a Knight or Knights of the Shire to serve in any future Parliament, the East Riding of the County of *York*, the North Riding of the County of *York*, the Parts of *Lindsey* in the County of *Lincoln*, and the several Counties at large enumerated in the Second Column of the Schedule marked (G.) to this Act annexed, shall respectively include the several Cities and Towns, and Counties of the same, which are respectively mentioned in conjunction with such Ridings, Parts, and Counties at large, and named in the First Column of the said Schedule (G.)

XVIII. [*Limitation on the Right of voting for Counties, and for Cities being Counties of themselves, in respect of Freeholds for Life.*] And be it enacted, That no Person shall be entitled to vote in the Election of a Knight or Knights of the Shire to serve in any future Parliament, or in the Election of a Member or Members to serve in any future Parliament for any City or Town being a County of itself, in respect of any Freehold Lands or Tenements whereof such Person may be seised for his own Life, or for the Life of another, or for any Lives whatsoever, except such Person shall be in the actual and *bonâ fide* Occupation of such Lands or Tenements, or except the same shall have come to such Person by Marriage, Marriage Settlement, Devise, or Promotion to any Benefice or to any Office, or except the same shall be of the clear yearly Value of not less than Ten Pounds above all Rents and Charges payable out of or in respect of the same; any Statute or Usage to the contrary notwithstanding: Provided always, that nothing in this Act contained shall prevent any Person now seised for his own Life, or for the Life of another, or for any Lives whatsoever, of any Freehold Lands or Tenements in respect of which he now has, or but for the passing of this Act might acquire, the Right of voting in such respective Elections, from retaining or acquiring, so long as he shall be so seised of the same Lands or Tenements, such Right of voting in respect thereof, if duly registered according to the respective Provisions herein-after contained.

XIX. [*Right of voting in Counties extended to Copyholders.*] And be it enacted, That every Male Person of full Age, and not subject to any legal Incapacity, who shall be seised at Law or in Equity of any Lands or Tenements of Copyhold or any other Tenure whatever except Freehold, for his own Life, or for the Life of another, or for any Lives whatsoever, or for any larger Estate, of the clear yearly Value of not less than Ten Pounds over and above all Rents and Charges payable out of or in respect of the same, shall be entitled to vote in the Election of a Knight or Knights of the Shire to serve in any future Parliament for the County, or for the Riding, Parts, or Division of the County, in which such Lands or Tenements shall be respectively situate.

XX. [*Right of voting in Counties extended to Leaseholders and Occupiers of Premises of certain Value above Charges.*] And be it enacted, That every Male Person of full Age, and not subject to any legal Incapacity, who shall be entitled, either as Lessee or Assignee, to any Lands or Tenements, whether of Freehold or of any other Tenure whatever, for the unexpired Residue, whatever it may be, of any Term originally created for a Period of not less than Sixty Years, (whether determinable on a Life or Lives, or not,) of the clear yearly Value of not less than Ten Pounds over and above all Rents and Charges payable out of or in respect of the same, or for the unexpired Residue, whatever it may be, of any Term originally created for a Period of not less than Twenty Years, (whether determinable on a Life or Lives, or not,) of the clear yearly Value of not less than Fifty Pounds over and above all Rents and Charges payable out of or in respect of the same, or who shall occupy as Tenant any Lands or Tenements for which he shall be *bonâ fide* liable to a yearly Rent of not less than Fifty Pounds shall be entitled to vote in the Election of a Knight or Knights of the Shire to serve in any future Parliament for the County, or for the Riding, Parts, or Division of the County, in which such Lands or Tenements shall be respectively situate: Provided always, that no Person, being only a Sub-Lessee, or the Assignee of any Under-lease, shall have a Right to vote in such Election in respect of any such Term of Sixty Years or Twenty Years as aforesaid, unless he shall be in the actual Occupation of the Premises.

XXI. [*What not to be deemed Charges.*] And be it declared and enacted, That no Public or Parliamentary Tax, nor any Church Rate, County Rate, or Parochial Rate, shall be deemed to be any Charge payable out of or in respect of any Lands or Tenements within the Meaning of this Act.

XXII. [*County Voters need not be assessed to the Land Tax.*] And be it enacted, That in order to entitle any Person to vote in any Election of a Knight of the Shire or other Member to serve in any future Parliament, in respect of any Messuages, Lands, or Tenements, whether Freehold or otherwise, it shall not be necessary that the same shall be assessed to the Land Tax; any Statute to the contrary notwithstanding.

XXIII. [*Provisions as to Trustees and Mortgagees.*] And be it enacted, That no Person shall be allowed to have any Vote in the Election of a Knight or Knights of the Shire for or by reason of any Trust Estate or Mortgage, unless such Trustee or Mortgagee be in actual Possession or Receipt of the Rents and Profits of the same Estate, but that the Mortgager or Cestuique Trust in Possession shall and may vote for the same estate notwithstanding such Mortgage or Trust.

XXIV. [*No Person to vote for a County in respect of any Freehold House, &c. occupied by himself, which would confer a Vote for a Borough.*] And be it enacted, That notwithstanding any thing herein-before contained no Person shall be entitled to vote in the Election of a Knight or Knights of the Shire to serve in any future Parliament in respect of his Estate or Interest as a Freeholder in any House, Warehouse, Counting-house, Shop, or other Building occupied by himself, or in any Land occupied by himself together with any House, Warehouse, Counting-house, Shop, or other Building, such House, Warehouse, Counting-house, Shop, or other Building being, either separately, or jointly with the Land so occupied therewith, of such Value as would, according to the Provisions herein-after contained, confer on him the Right of voting for any City or Borough, whether he shall or shall not have actually acquired the Right to vote for such City or Borough in respect thereof.

XXV. [*No Person to vote for a County in respect of certain Copyholds and Leaseholds in a Borough.*] And be it enacted, That notwithstanding any thing herein-before contained no Person shall be entitled to vote in the Election of a Knight or Knights of the Shire to serve in any future Parliament in respect of his Estate or Interest as a Copyholder or Customary Tenant, or Tenant in Ancient Demesne, holding by Copy of Court Roll, or as such Lessee or Assignee, or as such Tenant and Occupier as aforesaid, in any House, Warehouse, Counting-house, Shop, or other Building, or in any Land occupied together with a House, Warehouse, Counting-house, Shop, or other Building, such House, Warehouse, Counting-house, Shop, or other Building being, either separately, or jointly with the Land so occupied therewith, of such Value as would, according to the Provisions herein-after contained, confer on him or on any other Person the Right of voting for any City or Borough, whether he or any other Person shall or shall not have actually acquired the Right to vote for such City or Borough in respect thereof.

XXVI. [*Possession for a certain Time, and Registration, essential to the Right of voting for a County......Exception in case of Property coming by Descent, &c.*] And be it enacted, That notwithstanding any thing herein-before contained no Person shall be entitled to vote in the Election of a Knight or Knights of the Shire to serve in any future Parliament unless he shall have been duly registered according to the Provisions herein-after contained; and that no Person shall be so registered in any Year in respect of his estate or Interest in any Lands or Tenements, as a Freeholder, Copyholder, Customary Tenant, or Tenant in Ancient Demesne, unless he shall have been in the actual Possession thereof, or in the Receipt of the Rents and Profits thereof for his own Use, for Six Calendar Months at least next previous to the last Day of *July* in such Year, which said Period of Six Calendar Months shall be sufficient, any Statute to the contrary nowithstanding; and that no Person shall be so registered in any Year, in respect of any Lands or Tenements held by him as such Lessee or Assignee, or as such Occupier and Tenant as aforesaid, unless he shall have been in the actual Possession thereof, or in the Receipt of the Rents and Profits thereof for his own Use, as the Case may require, for Twelve Calendar Months next previous to the last Day of *July* in such Year: Provided always, that where any Lands or Tenements, which would otherwise entitle the Owner, Holder, or Occupier thereof to vote in any such Election, shall come to any Person, at any Time within such respective Periods of Six or Twelve Calendar Months, by Descent, Succession, Marriage, Marriage Settlement, Devise, or Promotion to any Benefice in a Church, or by Promotion to any Office, such Person shall be entitled in respect thereof to have his Name inserted as a Voter in the Election of a Knight or Knights of the Shire in the Lists then next to be made by virtue of this Act as herein-after mentioned, and, upon his being duly registered according to the Provisions herein-after contained, to vote in such Election.

XXVII. [*Right of voting in Cities or Boroughs to be enjoyed by Occupiers of Houses, &c. of the annual Value of* 10*l*.... *No Occupier to vote unless rated to the Poor Rate.... Rate and Assessed Taxes must be paid.... Residence also required.*] And be it enacted, That in every City or Borough which shall return a Member or Members to serve in any future Parliament, every Male Person of full Age, and not subject to any legal Incapacity, who shall occupy, within such City or Borough, or within any Place sharing in the Election for such City or Borough, as Owner or Tenant, any House, Warehouse, Counting-house, Shop, or other Building, being, either separately, or jointly with any Land within such City, Borough, or Place occupied therewith by him as Owner, or occupied therewith by him as Tenant under the same Landlord, of the clear yearly Value of not less than Ten Pounds, shall, if duly registered according to the Provisions herein-after contained, be entitled to vote in the Election of a Member or Members to serve in any future Parliament for such City or Borough: Provided always, that no such Person shall be so registered in any Year unless he shall have occupied such Premises as aforesaid for Twelve Calendar Months next previous to the last Day of *July* in such Year, nor unless such Person, where such Premises are situate in any Parish or Township in which there shall be a Rate for the Relief of the Poor, shall have been rated in respect of such Premises to all Rates for the Relief of the Poor in such Parish or Township made during the Time of such his Occupation so required as aforesaid, nor unless such Person shall have paid, on or before the Twentieth Day of *July* in such Year, all the Poor's Rates and Assessed Taxes which shall have become payable from him in respect of such Premises previously to the Sixth Day of *April* then next preceding: Provided also, that no such Person shall be so Registered in any Year unless he shall have resided for Six Calendar Months next previous to the last Day of *July* in such Year within the City or Borough, or within the Place sharing in the Election for the City or Borough, in respect of which City, Borough, or Place respectively he shall be entitled to vote, or within Seven Statute Miles thereof or of any Part thereof.

XXVIII. [*Provision as to Premises occupied in Succession.*] And be it enacted, That the Premises in respect of the Occupation of which any Person shall be entitled to be registered in any Year, and to vote in the Election for any City or Borough as aforesaid, shall not be required to be the same Premises, but may be different Premises occupied in immediate Succession by such Person during Twelve Calendar Months next previous to the last Day of *July* in such Year, such Person having paid, on or before the Twentieth Day of *July* in such Year, all the Poor's Rates and Assessed Taxes which shall previously to the Sixth Day of *April* then next preceding have become payable from him in respect of all such Premises so occupied by him in Succession.

XXIX. [*As to joint Occupiers.*] And be it enacted, That where any Premises as aforesaid in any such City or Borough, or in any Place sharing in the Election therewith, shall be jointly occupied by more Persons than One as Owners or Tenants, each of such joint Occupiers shall, subject to the Conditions herein-before contained as to Persons occupying Premises in any such City, Borough or Place, be entitled to vote in the Election for such City or Borough, in respect of the Premises so jointly occupied, in case the clear yearly Value of such Premises shall be of an Amount which, when divided by the Number of such Occupiers, shall give a Sum of not less than Ten Pounds for each and every such Occupier, but not otherwise.

XXX. [*Occupiers may demand to be rated.*] And be it enacted, That in every City or Borough which shall return a Member or Members to serve in any future Parliament, and in every Place sharing in the Election for such City or Borough, it shall be lawful for any Person occupying any House, Warehouse, Counting-house, Shop, or other Building, either separately or jointly with any Land occupied therewith by him as Owner, or occupied therewith by him as Tenant under the same Landlord, in any Parish or Township in which there shall be a Rate for the Relief of the Poor, to claim to be rated to the Relief of the Poor in respect of such Premises, whether the Landlord shall or shall not be liable to be rated to the Relief of the Poor in respect thereof; and upon such Occupier so claiming and actually paying or tendering the full Amount of the Rate or Rates, if any, then due in respect of such Premises, the Overseers of the Parish or Township in which such Premises are situate are hereby required to put the Name of such Occupier upon the Rate for the Time being; and in case such Overseers shall neglect or refuse so to do, such Occupier shall nevertheless for the Purposes of this Act be deemed to have been rated to the Relief of the Poor in respect of such Premises from the Period at which the Rate shall have been made in respect of which he shall have so claimed to be rated as aforesaid: Provided always, that where by virtue of any Act of Parliament the Landlord shall be liable to the Payment of the Rate for the Relief of the Poor in respect of any Premises occupied by his Tenant, nothing herein contained shall be deemed to vary or discharge the Liability of such Landlord; but that in case the Tenant who shall have been rated for such Premises in consequence of any such Claim as aforesaid shall make Default in the Payment of the Poor's Rate due in respect thereof, such Landlord shall be and remain liable for the Payment thereof in the same Manner as if he alone had been rated in respect of the Premises so occupied by his Tenant.

XXXI. [*Provision as to Freeholders voting for Cities and Towns being Counties of themselves. To extend to Freeholds within the new Boundaries.*] And be it enacted, That in every City or Town being a County of itself, in the Election for which Freeholders or Burgage Tenants, either with or without any super-added Qualification, now have a Right to vote, every such Freeholder or Burgage Tenant shall be entitled to vote in the Election of a Member or Members to serve in all future Parliaments for such City or Town, provided he shall be duly registered according to the Provisions herein-after contained; but that no such Person shall be so registered in any Year in respect of any Freehold or Burgage Tenement, unless he shall have been in the actual Possession thereof, or in the Receipt of the Rents and Profits thereof, for his own Use, for Twelve Calendar Months next previous to the last Day of *July* in such Year, (except where the same shall have come to him, at any Time within such Twelve Months, by Descent, Succession, Marriage, Marriage Settlement, Devise, or Promotion to any Benefice in a Church, or to any Office) nor unless he shall have resided for Six Calendar Months next previous to the last Day of *July* in such Year within such City or Town, or within Seven Statute Miles thereof or of any Part thereof: Provided always, that nothing in this Enactment contained shall be deemed to vary or abridge the Provisions herein-before made relative to the Right of voting for any City or Town being a County of itself, in respect of any Freehold for Life or Lives: Provided also, that every Freehold or Burgage Tenement which may be situate without the present Limits of any such City or Town being a County of itself, but within the Limits of such City or Town, as the same shall be settled and described by the Act to be passed for that Purpose as herein-before mentioned, shall confer the Right of voting in the Election of a Member or Members to serve in any future Parliament for such City or Town in the same manner as if such Freehold or Burgage Tenement were situate within the present Limits thereof.

XXXII. [*Freemen not to vote in Boroughs unless resident, &c.... Exclusion of Freemen created since the 1st of March, 1831.... Exception.... Provision as to the Freemen of Swansea, Loughor, Neath, Aberavon, and Ken-fig.*] And be it enacted, That every Person who would have been entitled to vote in the Election of a Member or Members to serve in any future Parliament for any City or Borough not included in the Schedule marked (A.) to this Act annexed, either as a Burgess or Freeman, or in the City of *London,* as a Freeman and Liveryman, if this Act had not been passed, shall be entitled to vote in such Election, provided such Person shall be duly registered according to the Provisions herein-after contained; but that no such Person shall be so registered in any Year, unless he shall, on the last Day of *July* in such Year, be qualified in such Manner as would entitle him then to vote if such Day were the Day of Election, and this Act had not been passed, nor unless, where he shall be a Burgess or Freeman or Freeman and Liveryman of any City or Borough, he shall have resided for Six Calendar Months next previous to the last Day of *July* in such Year within such City or Borough, or within Seven Statute Miles from the Place where the Poll for such City or Borough shall heretofore have been taken, nor unless, where he shall be a Burgess or Freeman of any Place sharing in the Election for any City or Borough, he shall have resided for Six Calendar Months next previous to the last Day of *July* in such Year within such respective Place so sharing as aforesaid, or within Seven Statute Miles of the Place mentioned in conjunction with such respective Place so sharing as aforesaid and named in the Second Column of the Schedule marked (E. 2.) to this Act annexed: Provided always, that no Person who shall have been elected, made, or admitted a Burgess or Freeman since the First Day of *March,* One thousand eight hundred and thirty one, otherwise than in respect of Birth or Servitude, or who shall hereafter be elected, made, or admitted a Burgess or Freeman, otherwise than in respect of Birth or Servitude, shall be entitled to vote as such in any such Election for any City or Borough as aforesaid, or to be so registered as aforesaid: Provided also, that no Person shall be so entitled as a Burgess or Freeman in respect of Birth unless his Right be originally derived from or through some Person who was a Burgess or Freeman, or entitled to be admitted a Burgess or Freeman, previously to the First Day of *March,* in the Year One thousand eight hundred and thirty-one, or from or through some Person who since that time shall have become or shall hereafter become a Burgess or Freeman in respect of Servitude: Provided also, that every Person who would have been entitled, if this Act had not been passed, to vote as a Burgess or Freeman of *Swansea, Loughor, Neath, Aberavon,* or *Ken-fig,* in the Election of a

Member to serve in any future Parliament for the Borough of *Cardiff*, shall cease to vote in such Election, and shall instead thereof be entitled to vote as such Burgess or Freeman in the Election of a Member to serve in all future Parliaments for the Borough composed of the Towns of *Swansea*, *Loughor*, *Neath*, *Aberavon*, and *Ken-fig*, subject always to the Provisions herein-before contained with regard to a Burgess or Freeman of any Place sharing in the Election for any City or Borough.

XXXIII. [*Reservation of other Rights voting in Boroughs.... Residence, &c. required.*] And be it enacted, That no Person shall be entitled to vote in the Election of a Member or Members to serve in any future Parliament for any City or Borough, save and except in respect of some Right conferred by this Act, or as a Burgess or Freeman, or as a Freeman and Liveryman, or, in the Case of a City or Town being a County of itself, as a Freeholder or Burgage Tenant, as herein-before mentioned: Provided always, that every Person now having a Right to vote in the Election for any City or Borough (except those enumerated in the said Schedule (A.)) in virtue of any other Qualification than as a Burgess or Freeman, or as a Freeman and Liveryman, or, in the Case of a City or Town being a County of itself, as a Freeholder or Burgage Tenant, as herein-before mentioned, shall retain such Right of voting so long as he shall be qualified as an Elector according to the Usages and Customs of such City or Borough, or any Law now in force, and such Person shall be entitled to vote in the Election of a Member or Members to serve in any future Parliament for such City or Borough, if duly registered according to the Provisions herein-after contained; but that no such Person shall be so registered in any Year unless he shall, on the last Day of *July* in such Year, be qualified as such Elector in such Manner as would entitle him then to vote if such Day were the Day of Election and this Act had not been passed, nor unless such Person. where his Qualification shall be in any City or Borough, shall have resided for Six Calendar Months next previous to the last Day of *July* in such Year within such City or Borough, or within Seven Statute Miles from the Place where the Poll for such City or Borough shall heretofore have been taken, nor unless such Person, where his Qualification shall be within any Place sharing in the Election for any City or Borough, shall have resided for Six Calendar Months next previous to the last Day of *July* in such Year within such respective Place so sharing as aforesaid, or within Seven Statute Miles of the Place mentioned in conjunction with such respective Place so sharing as aforesaid and named in the Second Column of the Schedule marked (E. 2.) to this Act annexed, Provided nevertheless, that every such Person shall for ever cease to enjoy such Right of voting for any such City or Borough as aforesaid, if his Name shall have been omitted for Two successive Years from the Register of such Voters for such City or Borough herein-after directed to be made, unless he shall have been so omitted in consequence of his having received Parochial Relief within Twelve Calendar Months next previous to the last Day of *July* in any Year, or in consequence of his absence on the Naval or Military Service of His Majesty.

XXXIV. [*Provision as to Persons now entitled to vote for New Shoreham, Cricklade, Aylesbury, or East Retford in respect of Freeholds.*] And be it enacted, That every Person now having a Right to vote for the Borough of *New Shoreham*, or of *Cricklade*, *Aylesbury*, or *East Retford* respectively, in respect of any Freehold, wheresoever the same may be situate, shall retain such Right of voting, subject always to the same Provisions as are herein-before mentioned with regard to Persons whose Right of voting for any Borough is saved and reserved by this Act, save and except that such Persons now having a Right to vote for the Borough of *New Shoreham*, or of *Cricklade*, *Aylesbury*, or *East Retford* respectively, shall not be registered in any Year unless they shall have resided for Six Calendar Months next previous to the last Day of *July* in such Year within the Borough of *New Shoreham*, or of *Cricklade*, *Aylesbury*, or *East Retford* respectively, as defined by this Act, or within Seven Statute Miles of such respective Borough or of any Part thereof; and that for the Purpose of the Registration herein-after required all Persons now having a Right to vote for the Borough of *New Shoreham* in respect of any Freeholds which may be situate in the Borough of *Horsham*, or for the Borough of *Cricklade* in respect of any Freeholds which may be situate in the Borough of *Malmsbury*, as such Boroughs of *Horsham* or *Malmsbury* may respectively be defined by the Act to be passed for that Purpose as herein-before mentioned, shall be inserted in the List of Voters herein-after directed to be made by the Overseers of that Parish or Township within the Borough of *New Shoreham* or the Borough of *Cricklade* respectively, as defined by this Act, which shall be next adjoining to the Parish or Township in which such Freeholds shall respectively be situate, and if the Parish or Township in which any such Freeholds shall be situate shall adjoin Two or more Parishes or Townships within either of the said Boroughs of *New Shoreham* or *Cricklade*, the Persons so having a Right to vote in respect of such Freeholds shall be inserted in the List of Voters to be made by the Overseers of the least populous of such adjoining Parishes or Townships, according to the last Census for the Time being.

XXXV. [*Exclusion of certain Rights of voting in Boroughs acquired since the* 1st *of March,* 1831.] Provided nevertheless, and be it enacted, That notwithstanding any thing herein-before contained, no Person shall be entitled to vote in the Election of a Member or Members to serve in any future Parliament for any City or Borough (other than a City or Town being a County of itself, in the Election for which Freeholders or Burgage Tenants have a Right to vote as herein-before mentioned,) in respect of any Estate or Interest in any Burgage Tenement or Freehold which shall have been acquired by such Person since the First Day of *March* One thousand eight hundred and thirty-one, unless the same shall have come to or been acquired by such Person, since that Day, and previously to the passing of this Act, by Descent, Succession, Marriage, Marriage Settlement, Devise, or Promotion to any Benefice in a Church, or by Promotion to any Office.

XXXVI. [*As to Receipt of Parochial Relief.*] And be it enacted, That no Person shall be entitled to be registered in any Year as a Voter in the Election of a Member or Members to serve in any future Parliament for any City or Borough who shall within Twelve Calendar Months next previous to the last Day of *July* in such Year have received Parochial Relief or other Alms which by the Law of Parliament now disqualify from voting in the Election of Members to serve in Parliament.

XXXVII. [*Overseers to give Notice annually, requiring County Voters to send in their Claims. Persons once on the Register not required to make any subsequent Claim.*] 'And whereas it is 'expedient to form a Register of all Persons entitled to vote in the Election of a Knight or 'Knights of the Shire to serve in any future Parliament, and that for the Purpose of forming 'such Register the Overseers of every Parish and Township should annually make out Lists in 'the Manner herein-after mentioned;' be it therefore enacted, That the Overseers of the Poor of every Parish and Township shall on the Twentieth Day of *June* in the present and in every succeeding Year cause to be fixed on or near the Doors of all the Churches and Chapels within such Parish or Township, or if there be no Church or Chapel therein, then to be fixed in some public and conspicuous Situation within the same respectively, a Notice according to the Form numbered 1. in the Schedule (H.) to this Act annexed, requiring all Persons who may be entitled to vote in the Election of a Knight or Knights of the Shire to serve in any future Parliament, in respect of any Property situate wholly or in part in such Parish or Township, to deliver or transmit to the said Overseers on or before the Twentieth Day of *July* in the present and in every succeeding Year a Notice of their Claim as such Voters according to the Form numbered 2. in the said Schedule (H.), or to the like Effect: Provided always, that after the Formation of the Register to be made in each Year, as herein-after mentioned, no Person whose Name shall be upon such Register for the Time being, shall be required thereafter to make any such Claim as aforesaid, so long as he shall retain the same Qualification, and continue in the same Place of Abode described in such Register.

XXXVIII. [*Overseers to prepare Lists of County Voters, and to publish them every Year.... Overseers to have Power of objecting to any Name inserted in the Lists; to keep Copies of Lists for Inspection.... Provision as to Places having no Overseers.*] And be it enacted, That the Overseer of the Poor of every Parish and Township shall on or before the last Day of *July* in the present Year make out or cause to be made out, according to the Form numbered 3. in the said Schedule (H.), an alphabetical List of all Persons who shall claim as aforesaid to be inserted in such List as Voters in the Election of a Knight or Knights of the Shire to serve for the County, or for the Riding, Parts, or Division of the County wherein such Parish or Township lies, in respect of any Lands or Tenements situate wholly or in part within such Parish or Township; and that the said Overseers shall on or before the last Day of *July* in every succeeding Year make out or cause to be made out a like List, containing the Names of all Persons who shall be upon the Register for the Time being as such Voters, and also the Names of all Persons who shall claim as aforesaid to be inserted in such last-mentioned List as such Voters; and in every

List so to be made by the Overseers as aforesaid the Christian Name and Surname of every Person shall be written at full Length, together with the Place of his Abode, the Nature of his Qualification, and the local or other Description of such Lands or Tenements, as the same are respectively set forth in his Claim to Vote, and the Name of the Occupying Tenant, if stated in such Claim; and the said Overseers, if they shall have reasonable Cause to believe that any Person so claiming as aforesaid, or whose Name shall appear in the Register for the Time being, is not entitled to vote in the Election of a Knight or Knights of the Shire for the County, or for the Riding, Parts, or Division of the County in which their Parish or Township is situate, shall have Power to add the Words "objected to," opposite the Name of every such Person on the Margin of such List; and the said Overseers shall sign such List, and shall cause a sufficient Number of Copies of such List to be written or printed, and to be fixed on or near the Doors of all the Churches and Chapels within their Parish or Township, or if there be no Church or Chapel therein, then to be fixed up in some public and conspicuous Situation within the same respectively, on the Two *Sundays* next after such List shall have been made; and the said Overseers shall likewise keep a true Copy of such List, to be perused by any Person, without Payment of any Fee, at all reasonable Hours during the Two first Weeks after such List shall have been made: Provided always, that every Precinct or Place, whether extra-parochial or otherwise, which shall have no Overseers of the Poor, shall for the Purpose of making out such List as aforesaid be deemed to be within the Parish or Township adjoining thereto, such Parish or Township being situate within the same County, or the same Riding, Parts, or Division of a County, as such Precinct or Place; and if such Precinct or Place shall adjoin Two or more Parishes or Townships so situate as aforesaid, it shall be deemed to be within the least populous of such Parishes or Townships according to the last Census for the Time being; and the Overseers of the Poor of every such Parish or Township shall insert in the List for their respective Parish or Township the Names of all Persons who shall claim as aforesaid to be inserted therein as Voters in the Election of a Knight or Knights of the Shire to serve for the County, or for the Riding, Parts, or Division of the County, in which such Precinct or Place as aforesaid lies, in respect of any Lands or Tenements situate wholly or in part within such Precinct or Place.

XXXIX. [*Notice of Objection by Third Parties to Persons not entitled to be retained in the County Lists.... Lists of Persons objected to by Third Parties to be published, &c.*] And be it enacted, That every Person who shall be upon the Register for the Time being of Voters for any County, or for any Riding, Parts, or Division of a County, or who shall have claimed to be inserted in any List for the then current Year of Voters for any County, or any Riding, Parts, or Division of a County, may object to any Person as not having been entitled on the last Day of *July* then next preceding to have his Name inserted in any List of Voters for such County, Riding, Parts, or Division so to be made out as aforesaid; and every Person so objecting (save and except Overseers objecting in the Manner herein-before mentioned) shall on or before the Twenty-fifth Day of *August* in the present and in every succeeding Year, give or cause to be given a Notice in Writing according to the Form numbered 4. in the said Schedule (H.), or to the like Effect, to the Overseers who shall have made out the List in which the Name of the Person so objected to shall have been inserted; and the Person so objecting shall also, on or before the Twenty-fifth Day of *August* in the present and in every succeeding Year, give to the Person objected to, or leave at his Place of Abode as described in such List, or personally deliver to his Tenant in Occupation of the Premises described in such List, a Notice in Writing according to the Form numbered 5. in the said Schedule (H.), or to the like Effect; and the Overseers shall include the Names of all Persons so objected to in a List according to the Form numbered 6. in the said Schedule (H.), and shall cause Copies of such List to be fixed on or near the Doors of all the Churches and Chapels within their Parish or Township, or if there be no Church or Chapel therein, then to be fixed in some public and conspicuous Situation within the same respectively, on the Two *Sundays* next preceding the Fifteenth Day of *September* in the present and in every succeeding Year; and the Overseers shall likewise keep a Copy of the Names of all the Persons so objected to, to be perused by any Person, without Payment of any Fee, at all reasonable Hours during the Ten Days next preceding the said Fifteenth Day of *September* in the present and in every succeeding Year.

XL. [*Lists of County Voters to be forwarded to the Clerks of the Peace.*] And be it enacted, That on the Twenty-ninth Day of *August* in the present and in every succeeding Year, the Overseers of every Parish and Township shall deliver the List of Voters so made out as aforesaid, together with a written Statement of the Number of Persons objected to by the Overseers and by other Persons, to the High Constable or High Constables of the Hundred or other like District in which such Parish or Township is situate; and such High Constable or High Constables shall forthwith deliver all such Lists, together with such Statements as aforesaid, to the Clerk of the Peace of the County, Riding, or Parts, who shall forthwith make out an Abstract of the Number of Persons objected to by the Overseers and by other Persons in each Parish and Township, and transmit the same to the Barrister or Barristers appointed as herein-after mentioned to revise such Lists, in order that the said Barrister or Barristers may fix proper Times and Places for holding his or their Courts for the Revision of the said Lists.

XLI. [*Judges of Assize to name Barristers, who shall revise the Lists of County Voters.... Period for Revision.*] And be it enacted, That the Lord Chief Justice of the Court of King's Bench for the Time being shall, in the Month of *July* or *August* in the present and in every succeeding Year, nominate and appoint for *Middlesex*, and the Senior Judge for the Time being in the Commission of Assize for every other County shall, when travelling the Summer Circuit, in the present and in every succeeding Year, nominate and appoint for every such County, or for each of the Ridings, Parts, or Divisions of such County, a Barrister or Barristers to revise the Lists of Voters in the Election of a Knight or Knights of the Shire; and such Barrister or Barristers so appointed as aforesaid shall give public Notice, as well by Advertisement in some of the Newspapers circulating within the County, Riding, Parts, or Division, as also by a Notice to be fixed in some public and conspicuous Situation at the principal Place of Election for the County, Riding, Parts, or Division, (such last-mentioned Notice to be given Three Days at the least before the Commencement of his or their Circuit,) that he or they will make a Circuit of the County, Riding, Parts, or Division for which he or they shall be so appointed, and of the several Times and Places at which he or they will hold Courts for that Purpose, such Times being between the Fifteenth Day of *September* inclusive and the Twenty-fifth Day of *October* inclusive in the present and in every succeeding Year, and he or they shall hold open Courts for that Purpose at the Times and Places so to be announced; and where Two or more Barristers shall be appointed for the same County, Riding, Parts, or Division, they shall attend at the same Places together, but shall sit apart from each other, and hold separate Courts at the same Time for the Dispatch of Business: Provided always, that no Member of Parliament, nor any Person holding any Office or Place of Profit under the Crown, shall be appointed such Barrister, and that no Barrister so appointed as aforesaid shall be eligible to serve in Parliament for Eighteen Months from the Time of such his Appointment for the County, Riding, Parts, or Division for which he shall be so appointed.

XLII. [*Clerk of the Peace and Overseers to attend before the Barristers, who shall retain on the County Lists all Names not objected to, and shall expunge those whose Qualification, if objected to, shall not be proved....Power to rectify Mistakes and supply Omissions in the Lists....Proviso.*] And be it enacted, That the Clerk of the Peace shall, at the opening of the first Court to be held by every such Barrister for any County, or for any Riding, Parts, or Division of a County, produce or cause to be produced before him the several Lists of Voters for such County, Riding, Parts, or Division which shall have been delivered to such Clerk of the Peace by the High Constables as aforesaid; and the Overseers of every Parish and Township who shall have made out the Lists of Voters shall attend the Court to be held by every such Barrister at the Place appointed for revising the Lists relating to such Parish or Township respectively, and shall also deliver to such Barrister a Copy of the List of the Persons objected to, so made out by them as aforesaid; and the said Overseers shall answer upon Oath all such Questions as such Barrister may put to them or any of them touching any Matter necessary for revising the Lists of Voters; and every such Barrister shall retain on the Lists of Voters the Names of all Persons to whom no Objection shall have been made by the Overseers, or by any other Person, in the Manner herein-before mentioned; and he shall also retain on the List of Voters the Name of every Person who shall have been objected to by any Person other than the Overseers, unless the Party so objecting shall appear by himself or by some one on his Behalf in support of such Objection; and where the Name of any Person inserted in the List of Voters shall have been objected to by the Overseers, or by any other Person, in the Manner herein-before mentioned, and such Person so objecting shall appear by himself or by some one on his Behalf in support of such Objection, every such Barrister shall require it to be proved that the Person so objected to was entitled on the last Day of *July* then next preceding to have his Name inserted in the List of Voters in respect of the Qualification described in such List; and in case the same shall not be proved to the Satisfaction of such Barrister, or in case it shall be proved that such Person was then incapacitated by any Law or Statute from voting in the Election of Members to serve in Parliament, such Barrister shall expunge the Name of every such Person from the said Lists; and he shall also expunge from the said Lists the Name of every Person who shall be proved to him to be dead; and shall correct any Mistake which shall be proved to him to have been made in any of the said Lists as to any of the Particulars by this Act required to be inserted in such Lists; and where the Christian Name of any Person, or his Place of Abode, or the Nature of his Qualification, or the local or other Description of his Property, or the Name of the Tenant in the Occupation thereof, as the same respectively are required to be inserted in any such List, shall be wholly omitted therefrom, such Barrister shall expunge the Name of every such Person from such List, unless the Matter or Matters so omitted be supplied to the Satisfaction of such Barrister before he shall have completed the Revision of such List, in which Case he shall then and there insert the same in such List: Provided always, that no Person's Name shall be expunged from any such List except in case of his Death or of his being objected to on the Margin of the List by the Overseers as aforesaid, or except in case of any such Omission or Omissions as herein-before last mentioned, unless such Notice as is herein-before required in that Behalf shall have been given to the Overseers, nor unless such Notice as is herein-before required in that Behalf shall have been given to such Person, or left at his Place of Abode, or delivered to his Tenant as herein-before mentioned.

XLIII. [*Barrister to have Power to insert in the County Lists the Names of Claimants omitted by the Overseers, on Proof of Claim and Qualification.*] Provided also, and be it enacted, That if it shall happen that any Person who shall have given to the Overseers of any Parish or Township due Notice of his Claim to have his Name inserted in the List of Voters in the Election of a Knight or Knights of the Shire shall have been omitted by such Overseers from such List, it shall be lawful for the Barrister, upon the Revision of such List, to insert therein the Name of the Person so omitted, in case it shall be proved to the Satisfaction of such Barrister that such Person gave due Notice of such his Claim to the said Overseers, and that he was entitled on the last Day of *July* then next preceding to be inserted in the List of Voters in the Election of a Knight or Knights of the Shire for the County, or for the Riding, Parts, or Division of the County, wherein the Parish or Township of such Overseers may be situate, in respect of any Lands or Tenements within such Parish or Township.

XLIV. [*Overseers to prepare Lists of Persons (other than Freemen) entitled to vote in Boroughs and to publish them···· Copies of Lists to be kept for Inspection.*] And be it enacted, That the Overseers of the Poor of every Parish and Township either wholly or in part situate within any City or Borough, or Place sharing in the Election for any City or Borough, which shall return a Member or Members to serve in any future Parliament, shall, on or before the last Day of *July* in the present and in each succeeding Year, make out or cause to be made out, according to the Form numbered 1. in the Schedule marked (I.) to this Act annexed, an alphabetical List of all Persons who may be entitled by virtue of this Act to vote in the Election of a Member or Members to serve in any future Parliament for such City or Borough in respect of the Occupation of Premises of the clear yearly Value of not less than Ten Pounds as herein-before mentioned, situate wholly or in part within such Parish or Township, and another alphabetical List, according to the Form numbered 2. in the said Schedule (I.), of all other Persons (except Freemen) who may be entitled to vote in the Election for such City or Borough by virtue of any other Right whatsoever; and in each of the said Lists the Christian Name and Surname of every Person shall be written at full Length, together with the Nature of his Qualification; and where any Person shall be entitled to vote in respect of any Property, then the Name of the Street, Lane, or other Description of the Place where such Property may be situate shall be specified in the List; and where any Person shall be entitled to vote otherwise than in respect of any Property, then the Name of the Street, Lane, or other Description of the Place of such Person's Abode shall be specified in the List; and the Overseers shall sign each of such Lists, and shall cause a sufficient Number of Copies of such Lists to be printed, and to be fixed on or near the Doors of all the Churches and Chapels in their several Parishes and Townships, or if there be no Church or Chapel therein, then to be fixed up in some public and conspicuous Situation within the same respectively, on the Two *Sundays* next after such Lists shall have been made; and the said Overseers shall likewise keep true Copies of such Lists, to be perused by any Person, without Payment of any Fee, at all reasonable Hours during the Two first Weeks after such Lists shall have been made.

XLV. [*Provision for Places within Boroughs having no Overseers.*] And be it enacted, That every Precinct or Place, whether extra-parochial or otherwise, having no Overseers of the Poor, which now is or hereafter may be within any City or Borough, or within any Place sharing in the Election for any City or Borough, shall, for the Purpose of making out the List of Voters for such City or Borough, be deemed to be within the Parish or Township adjoining thereto, and situate wholly or in part within such City or Borough, or within such Place sharing in the Election therewith; and if such Precinct or Place shall adjoin Two or more Parishes or Townships so situate as aforesaid, it shall be deemed to be within the least populous of such Parishes or Townships according to the last Census for the Time being; and the Overseers of every such Parish or Township shall insert in the List for their respective Parish or Township the Names of all Persons who may be entitled to vote in the Election of a Member or Members to serve in any future Parliament for any such City or Borough in respect of any Property occupied by such Persons within such City or Borough, or within any Place sharing in the Election therewith, such Property being situate wholly or in part within such Precinct or Place as aforesaid.

XLVI. [*Town Clerks to prepare and publish the Lists of Freemen.*] And be it enacted, That the Town Clerk of every City or Borough shall, on or before the last Day of *July* in the present and in each succeeding Year, make out or cause to be made out, according to the Form numbered 3. in the said Schedule (I.), an alphabetical List of all the Freemen of such City or Borough who may be entitled to vote in the Election of a Member or Members to serve in any future Parliament for such City or Borough, together with the respective Places of their Abode; and the Town Clerk of every Place sharing in the Election for any City or Borough shall, at the respective Times aforesaid, make out or cause to be made out a like List of all the Freemen of such Place who may be entitled to vote in the Election of a Member or Members to serve in any future Parliament for such City or Borough; and every such Town Clerk shall cause a Copy of every such List to be fixed on or near the Door of the Town Hall, or in some public and conspicuous Situation within such respective City, Borough or Place as aforesaid, on the Two *Sundays* next after such Lists shall have been made, and shall likewise keep a true Copy of such List, to be perused by any Person, without Payment of any Fee, at all reasonable Hours during the Two first Weeks after such List shall have been made: Provided always, that where there shall be no Town Clerk for such City, Borough, or Place as aforesaid, or where the Town Clerk shall be dead or incapable of acting, all Matters by this Act required to be done by and with regard to the Town Clerk shall be done by and with regard to the Person executing Duties similar to those of the Town Clerk, and if there be no such Person, then by and with regard to the chief Civil Officer of such City, Borough, or Place.

XLVII. [*Persons omitted in the Borough Lists to give Notice of their Claims.... Notices as to Persons not entitled to be retained in the Lists.... Lists of Claimants, and of Persons objected to, to be published, &c.*] And be it enacted, That every Person whose Name shall have been omitted in any such List of Voters for any City or Borough so to be made out as herein-before mentioned, and who shall claim to have his Name inserted therein as having been entitled on the last Day of *July* then next preceding, shall, on or before the Twenty-fifth Day of *August* in the present and in every succeeding Year, give or cause to be given a Notice in Writing, according to the Form numbered 4. in the said Schedule (I.), or to the like Effect, to the Overseers of that Parish or Township in the List whereof he shall claim to have his Name inserted, or if he shall claim as a Freeman of any City or Borough, or Place sharing in the election therewith, then to the Town Clerk of such City, Borough, or Place; and every Person whose Name shall have been inserted in any List of Voters for any City or Borough may object to any other Person as not having been entitled on the last Day of *July* then next preceding to have his name inserted in any List of Voters for the same City or Borough, and every

Person so objecting shall, on or before the Twenty-fifth Day of *August* in the present and in every succeeding Year, give or cause to be given a Notice in Writing, according to the Form numbered 5. in the said Schedule (I.), or to the like Effect, to the Overseers who shall have made out the List in which the Name of the Person so objected to shall have been inserted or if the Person objected to shall have been inserted in the List of Freemen of any City, Borough, or Place as aforesaid, then to the Town Clerk of such City, Borough, or Place; and the Overseers shall include the Names of all Persons so claiming as aforesaid in a List according to the Form numbered 6. in the said Schedule (I.), and the Names of all Persons so objected to as aforesaid in a List according to the Form numbered 7. in the said Schedule (I.), and shall cause Copies of such Two Lists to be fixed on or near the Doors of all the Churches and Chapels within their Parish or Township, or if there be no Church or Chapel therein, then to be fixed in some public and conspicuous Situation within the same respectively, on the Two *Sundays* next preceding th Fifteenth Day of *September* in the present and in every succeeding Year; and every Town Clerk shall include the Names of all Persons so claiming as Freemen in a List according to the Form numbered 8. in the said Schedule (I.), and the Names of all Persons so objected to as Freemen in a List according to the Form numbered 9. in the said Schedule (I.), and shall cause copies of such Two Lists to be fixed on or near the Door of the Town Hall, or in some public and conspicuous Situation, within his respective City, Borough, or Place as aforesaid, on the Two *Sundays* herein-before last mentioned in the present and in every succeeding Year; and the Overseers and Town Clerks shall likewise keep a Copy of the Names of all the Persons so claiming as aforesaid, and also a Copy of the Names of all Persons so objected to as aforesaid, to be perused by any Person, without Payment of any Fee, at all reasonable Hours during the Ten Days next preceding the said Fifteenth Day of *September* in the present and in every succeeding Year, and shall deliver a Copy of each of such Lists to any Person requiring the same, on Payment of One Shilling for each Copy.

XLVIII. [*List of Liverymen of London to be transmitted to the Returning Officer......Notices to be given of Omissions and Objections in List of Liverymen....Poll of Liverymen to be taken at Guildhall.*] And be it enacted, That for providing a List of such of the Freemen of the City of *London* as are Liverymen of the several Companies entitled to vote in the Election of a Member or Members to serve in any future Parliament for the City of *London*, the Returning Officer or Officers of the said City shall, on or before the last Day of *July* in the present and in each succeeding Year, issue Precepts to the Clerks of the said Livery Companies, requiring them forthwith to make out or cause to be made out, at the Expence of the respective Companies, an alphabetical List, according to the Form in the Schedule (K.) to this Act annexed, of the Freemen of *London* being Liverymen of the said respective Companies and entitled to vote in such Election; and every such Clerk shall sign such List, and transmit the same, with Two printed Copies thereof, to such Returning Officer or Officers, who shall forthwith fix One such Copy in the *Guildhall* and One in the *Royal Exchange* of the said City, there to remain Fourteen Days in the present and in every subsequent Year; and the Clerks of the said Livery Companies shall cause a sufficient Number of such Lists of Freemen and Liverymen of their respective Companies to be printed at the expence of the respective Companies, and shall keep the same, to be perused by any Person, without Payment of any Fee, at all reasonable Hours during the Two first Weeks after such Lists shall have been printed; and every Person whose Name shall have been omitted in any such List of Freemen and Liverymen, and who shall claim to have his Name inserted therein as having been entitled on the last Day of *July* then next preceding, shall, on or before the Twenty-fifth Day of *August* in the present and in every succeeding Year, give or cause to be given, a Notice in Writing according to the Form numbered 1. in the said Schedule (K.), or to the like Effect, to the Returning Officer or Officers, and to the Clerk of that Company in the List whereof he shall claim to have his Name inserted; and the Returning Officer or Officers shall include the Names of all Persons so claiming as aforesaid in a List according to the Form numbered 2. in the said Schedule (K.), and shall cause such last-mentioned List to be fixed in the *Guildhall* and *Royal Exchange* of the said City on the Two *Mondays* next preceding the Fifteenth Day of *September* in the present and in every succeeding Year; and the said Returning Officer or Officers, and Clerks of the said Companies, shall likewise keep a Copy of the Names of all the Persons so claiming as aforesaid, to be perused by any Person, without Payment of any Fee, at all reasonable Hours during the Ten Days next preceding the said Fifteenth Day of *September* in the present and in every succeeding Year; and every Person who shall object to any other Person as not having been entitled on the last Day of *July* then next preceding to have his Name inserted in any such Livery List shall, on or before the Twenty-fifth Day of *August* in the present and in every succeeding Year give to such other Person, or leave at his usual Place of Abode, a Notice in Writing according to the Form numbered 3. in the said Schedule (K.), or to the like Effect; and in the City of *London* the Returning Officer or Officers shall take the Poll or Votes of such Freemen of the said City being Liverymen of the several Companies as are entitled to vote at such Election in the *Guildhall* of the said City ; and the said Returning Officer or Officers shall not be required to provide any Booth or Compartments, but shall appoint or take One Poll for the whole Number of such Liverymen at the same Place.

XLIX. [*Judges of Assize to name Barristers, who shall revise the Lists of Borough Voters ....Proviso.*] And be it enacted, That the Lord Chief Justice of the Court of King's Bench for the Time being shall, in the Month of *July* or *August* in the present and in every succeeding Year, nominate and appoint so many Barristers as the said Lord Chief Justice shall deem necessary, to revise the respective Lists of Voters for the City of *London*, and for the City of *Westminster*, and for the several Boroughs in the County of *Middlesex;* and that the senior Judge for the Time being in the Commission of Assize for every other County shall, when travelling the Summer Circuit, in the present and in every succeeding Year, nominate and appoint so many Barristers as the said Judge shall deem necessary, to revise the respective Lists of Voters, as well for the several Cities and Boroughs in every such County, as for every City and Town, and County of a City and Town, next adjoining to any such County; and the Town and County of the Town of *Kingston-upon-Hull* shall for this Purpose be considered as next adjoining to the County of *York*, and the Town and County of the Town of *Newcastle-upon-Tyne* as next adjoining to the County of *Northumberland*, and the City and County of the City of *Bristol* as next adjoining to the County of *Somerset;* and the said Lord Chief Justice and Judge respectively shall have Power to nominate and appoint One or more Barristers to revise the Lists for the same City or Borough or other Place as aforesaid, or One Barrister only, to revise the Lists for several Cities, Boroughs, and other Places as aforesaid : Provided always, that no Member of Parliament, nor any Person holding any Office or Place of Profit under the Crown, shall be appointed as such Barrister as aforesaid, and that no Barrister so appointed as aforesaid shall be eligible to serve in Parliament for Eighteen Months from the Time of his Appointment for any City, Borough, or other Place as aforesaid for which he shall be so appointed : Provided also, that nothing herein contained shall prevent the same Barrister from being appointed to revise the Lists for Two or more Counties, Ridings, Parts, or Divisions, or for any County, Riding, Parts, or Division, and any One or more of the Cities or Boroughs therein.

L. [*Barrister to revise Lists of Borough Voters, and upon due Proof to insert and expunge Names...... Power to rectify Mistakes and supply Omissions in the Lists.*] And be it enacted, That the Barrister or Barristers so appointed to revise the Lists of Voters for any City or Borough shall hold an open Court or Courts for that Purpose within such City or Borough, and also within every Place sharing in the Election for such City or Borough, at some Time between the Fifteenth Day of *September* inclusive and the Twenty-fifth Day of *October* inclusive in the present and in every succeeding Year, having first given Three clear Days Notice of the holding of such Court or Courts, to be fixed on the Doors of all the Churches and Chapels within such City, Borough, or Place respectively, or if there be no Church or Chapel therein, then to be fixed in some public and conspicuous Situation within the same respectively; and the Overseers and Town Clerks who shall have made out the Lists of Voters as aforesaid, and in the Case of the City of *London* the Returning Officer or Officers of the said City, shall, at the opening of the first Court to be held by every such Barrister for revising such Lists, produce their respective Lists before him; and the said Overseers and Town Clerks shall also deliver to such Barrister a Copy of the List of the Persons objected to, so made out by them as aforesaid : and the Clerks of the several Livery Companies of the City of *London*, and the Town Clerk of every other City or Borough, or Place sharing in the Election therewith, and the several Overseers within every City Borough, or Place as aforesaid, shall attend the Court to be held by every such Barrister for any such City, Borough, or Place as aforesaid, and shall answer upon Oath all such Questions as such Barrister may put to them or any of them touching any Matter necessary for revising the Lists of Voters; and every such Barrister shall insert in such Lists the Name of every Person who shall be proved to his Satisfaction to have been entitled on the last Day of *July* then next preceding to have his Name inserted in any such List of Voters for such City or Borough; and such Barrister shall retain on the Lists of Voters for such City or Borough the Names of all Persons to whom no Objection shall have been made in the Manner herein-before mentioned, and he shall also retain on the said Lists the Name of every Person who shall have been objected to by any Person, unless the Party so objecting shall appear by himself, or by some one on his Behalf, in support of such Objection; and where the Name of any Person inserted in the List of Voters for such City or Borough shall have been objected to in the Manner herein-before mentioned, and the Person so objecting shall appear by himself, or by some one on his Behalf, in support of such Objection, every such Barrister shall require it to be proved that the Person so objected to was entitled on the last Day of *July* then next preceding to have his Name inserted in the List of Voters for such City or Borough in respect of the Qualification described in such List, and in case the same shall not be proved to the Satisfaction of such Barrister, or in case it shall be proved that such Person was then incapacitated by any Law or Statute from voting in the Election of Members to serve in Parliament, such Barrister shall expunge the Name of every such Person from the said Lists, and he shall also expunge from the said Lists the Name of every Person who shall be proved to him to be dead, and shall correct any Mistake which shall be proved to him to have been made in any of the said Lists as to any of the Particulars by this Act required to be inserted in such Lists; and where the Christian Name, or the Place of Abode, or the Nature of the Qualification, or the local Description of the Property of any Person who shall be included in any such List shall be wholly omitted in such List in any Case where the same is by this Act directed to be specified therein, such Barrister shall expunge the Name of every such Person from such List, unless the Matter or Matters so omitted be supplied to the Satisfaction of such Barrister before he shall have completed the Revision of such List, in which Case he shall then and there insert the same in such List: Provided always, that no Person's Name shall be inserted by such Barrister in any such List for any City or Borough, or shall be expunged therefrom, except in the Case of Death, or of such Omission or Omissions as herein-before last mentioned, unless such Notice shall have been given as is herein-before required in each of the said Cases.

LI. [*Power of inspecting Tax Assessments and Rate Books.*] And be it enacted, That the Overseers of every Parish or Township shall, for their Assistance in making out the Lists in pursuance of this Act, (upon Request made by them or any of them, at any reasonable Time between the first Day of *June* and the last Day of *July* in the present and in any succeeding Year, to any Assessor or Collector of Taxes, or to any other Officer having the Custody of any Duplicate or Tax Assessment for such Parish or Township), have free Liberty to inspect any such Duplicate or Tax Assessment, and to extract from thence such Particulars as may appear to such Overseer or Overseers to be necessary; and every Barrister appointed under this Act shall have Power to require any Assessor, Collector of Taxes, or other Officer having the Custody of any Duplicate or Tax Assessment, or any Overseer or Overseers having the Custody of any Poor Rate, to produce the same respectively before him at any Court to be held by him, for the Purpose of assisting him in revising the Lists to be by him revised in pursuance of this Act.

LII. [*Barrister, on revising the Lists, to have Power of adjourning, of administering Oaths, &c.; .... and to settle and sign the Lists in open Court.*] And be it enacted, That every Barrister holding any Court under this Act as aforesaid, shall have Power to adjourn the same from Time to Time, and from any one Place to any other Place or Places within the same County, Riding, Parts, or Division, or within the same City or Borough, or within any Place sharing in the Election for such City or Borough, but so as that no such adjourned Court shall be held after the Twenty-fifth Day of *October* in any Year; and every such Barrister shall have Power to administer an Oath (or, in the Case of a Quaker or Moravian, an Affirmation), to all Persons making Objection to the Insertion or Omission of any Name in any of such Lists as aforesaid, and to all Persons objected to or claiming to be inserted in any of such Lists, or claiming to have any Mistake corrected or any Omission supplied in any of such Lists, and to all Witnesses who may be tendered on either Side; and that if any Person taking any Oath or making any Affirmation under this Act shall wilfully swear or affirm falsely, such Person shall be deemed guilty of Perjury, and shall be punished accordingly; and that at the holding of such respective Courts the Parties shall not be attended by Counsel; and that every such Barrister shall, upon the hearing in open Court, finally determine upon the Validity of such Claims and Objections, and shall for that Purpose have the same Powers and proceed in the same Manner (except where otherwise directed by this Act) as the Returning Officer of any County, City, or Borough according to the Laws and Usages now observed at Elections; and such Barrister shall in open Court write his Initials against the Names respectively struck out or inserted, and against any Part of the said Lists in which any Mistake shall have been corrected or any Omission supplied, and shall sign his Name to every Page of the several Lists so settled.

LIII. [*Judges to appoint additional Barristers in case of Need.*] And be it enacted, That notwithstanding any thing herein-before contained, if it shall be made to appear to the Lord Chief Justice or Judge who shall have appointed any Barrister or Barristers under this Act to revise the List of Voters, that by reason of the Death, Illness, or Absence of any such Barrister or Barristers, or by reason of the Insufficiency of the Number of such Barristers, or from any other Cause, such Lists cannot be revised within the Period directed by this Act, it shall be lawful for such Lord Chief Justice or Judge, and he is hereby required, to appoint One or more Barrister or Barristers to act in the Place of or in addition to the Barrister or Barristers originally appointed; and such Barrister or Barristers so subsequently appointed shall have the same Powers and Authorities in every respect as if they had been originally appointed by such Lord Chief Justice or Judge.

LIV. [*County Lists to be transmitted to Clerk of the Peace; Borough Lists to be kept by Returning Officer, and handed to his Successor.... Lists to be copied into Books, with the Names numbered.... Such Books to be the Register of Electors.... Register how long to be in force.*] And be it enacted, That the Lists of Voters for each County, or for the Riding, Parts, or Division of each County, so signed as aforesaid by any such Barrister, shall be forthwith transmitted by him to the Clerk of the Peace of the County, Riding, or Parts for which such Barrister shall have been appointed; and the Clerk of the Peace shall keep the said Lists among the Records of the Sessions, arranged with every Hundred in alphabetical Order, and with every Parish and Township within such Hundred likewise in alphabetical Order, and shall forthwith cause the said Lists to be fairly and truly copied in the same Order in a Book to be by him provided for that Purpose, and shall prefix to every Name so copied out its proper Number, beginning the Numbers from the first Name, and continuing them in a regular Series down to the last Name, and shall complete and deliver such Book on or before the last Day of *October* in the present and in every succeeding Year to the Sheriff of the County, or his Under Sheriff, who shall safely keep the same, and shall at the Expiration of his Office deliver over the same to the succeeding Sheriff or his Under Sheriff; and the Lists of Voters for each City or Borough, so signed as aforesaid by any such Barrister, shall be forthwith delivered by him to the Returning Officer for such City or Borough, who shall safely keep the same, and shall cause the said Lists to be fairly and truly copied in a Book to be by him provided for that Purpose, with every Name therein numbered according to the Directions aforesaid, and shall cause such Book to be completed on or before the last Day of *October* in the present and in every succeeding Year, and shall deliver over such Book, together with the Lists, at the Expiration of his Office, to the Person succeeding him in such Office; and every such Book, to be so completed on or before the last Day of *October* in the present Year, shall be deemed the Register of the Electors to vote, after the End of this present Parliament, in the Choice of a Member or Members to serve in Parliament for the County, Riding, Parts, or Division of a County, City, or Borough to which such Register shall relate, at any Election which may take place after the said last Day of *October* in the present Year and before the First Day of *November* in the Year One thousand eight hundred and thirty-three; and every such Book to be so completed on or before the last Day of *October* in the Year One thousand eight hundred and thirty-three, and in every succeeding Year, shall be the Register of Electors to vote at any Election which shall take place between the First Day of *November* inclusive in the Year wherein such respective Register shall have been made and the First Day of *November* in the succeeding Year.

LV. [*Copies of the Lists and of the Registers to be printed for Sale.*] And be it enacted, That the Overseers of every Parish and Township shall cause to be written or printed Copies of the Lists so by them to be made in the present and in every succeeding Year, and shall deliver such Copies to all Persons applying for the same, on payment of a reasonable Price for each Copy; and the Monies arising from the Sale thereof shall be accounted for by the said Overseers, and applied to the same Purposes as Monies collected for the Relief of the Poor; and the Clerks of the Peace shall cause to be written or printed Copies of the Registers of the Electors for their respective Counties, Ridings, or Parts, or for the Divisions of their respective Counties; and the Returning Officer of every City or Borough shall cause to be written or printed Copies of the Register of the Electors for such City or Borough; and every such Clerk of the Peace, and every such Returning Officer, shall deliver such respective Copies to all Persons applying for the same, on Payment of a reasonable Price for each Copy; and the Monies arising from the Sale of all such Copies shall be accounted for to the Treasurer of the County, Riding, or Parts.

LVI. [*Expences of Overseers, Clerks of the Peace, &c. how to be defrayed.*] And be it enacted, That for the Purpose of defraying the Expences to be incurred by the Overseers of the Poor and by the Clerk of the Peace in carrying into effect the several Provisions of this Act, so far as relates to the Electors for any County, or for any Riding, Parts, or Division of a County, every Person, upon giving Notice of his Claim as such Elector to the Overseers, as herein-before mentioned, shall pay or cause to be paid to the said Overseers the Sum of One Shilling; and such notice of claim shall not be deemed valid until such sum shall have been paid; and the Overseers of each Parish or Township shall add all Monies so received by them to the Money collected or to be collected for the Relief of the Poor in such Parish or Township, and such Monies so added shall be applicable to the same Purposes as Monies collected for the Relief of the Poor; and that for the Purpose of defraying the Expences to be incurred by the Returning Officer of every City and Borough, and by the Overseers of the several Parishes and Townships in every City and Borough, and Place sharing in the Election therewith, in carrying into effect the Provisions of this Act, so far as relates to the Electors for such City or Borough, every such Elector whose Name shall be upon the Register of Voters for such City or Borough, for the Time being shall be liable to the Payment of One Shilling annually, which Sum shall be levied and collected from each Elector in addition to and as a Part of the Money payable by him as his Contribution to the Rate for the Relief of the Poor, and such Sum shall be applicable to the same Purposes as Money collected for the Relief of the Poor; and that the Expences incurred by the Overseers of any Parish or Township in making out, printing, and publishing the several Lists and Notices directed by this Act, and all other Expences incurred by them in carrying into effect the Provisions of this Act, shall be defrayed out of the Money collected or to be collected for the Relief of the Poor in such Parish or Township; and that all Expences incurred by the Returning Officer of any City or Borough in causing the Lists of the Electors for such City or Borough to be copied out and made into a Register, and in causing Copies of such Register to be written or printed, shall be defrayed by the Overseers of the Poor of the several Parishes and Townships within such City or Borough, or Place sharing in the Election therewith, out of the Money collected or to be collected for the Relief of the Poor in such Parishes and Townships, in proportion to the Number of Persons placed on the Register of Voters for each Parish or Township; and that all Expences incurred by the Clerk of the Peace of any County, Riding, or Parts in causing the Lists of the Electors for such County, Riding, or Parts, or for any Division of such County, to be copied out and made into a Register, and in causing Copies of such Register to be written or printed, and in otherwise carrying into effect the Provisions of this Act, shall be defrayed by the Treasurer of such County, Riding, or Parts out of any public Money in his Hands, and he shall be allowed all such Payments in his Accounts: Provided always, that no Expences incurred by any Clerk of the Peace under this Act shall be so defrayed unless the Account shall be laid before the Justices of the Peace at the next Quarter Sessions after such Expences shall have been incurred, and allowed by the Court.

LVII. [*Remuneration of the Barristers for revising the Lists.*] And be it enacted, That every Barrister appointed to revise any Lists of Voters under this Act shall be paid at the Rate of Five Guineas for every Day that he shall be so employed, over and above his travelling and other Expences; and every such Barrister, after the Termination of his last Sitting, shall lay or cause to be laid before the Lords Commissioners of His Majesty's Treasury for the Time being a Statement of the Number of Days during which he shall have been so employed, and an Account of the travelling and other Expences incurred by him in respect of such Employment; and the said Lords Commissioners shall make an Order for the Amount to be paid to such Barrister.

LVIII. [*No Inquiry at the Time of Election, except as to the Identity of the Voter, the Continuance of his Qualification, and whether he has voted before at same Election....Form of Questions as to these Points....Oath to be administered if required....Form of Oath....No other Oath as to Qualification....No Scrutiny by Returning Officer.*] And be it enacted, That in all Elections whatever of Members to serve in any future Parliament no Inquiry shall be permitted at the Time of polling, as to the Right of any Person to vote, except only as follows; that is to say, that the Returning Officer or his respective Deputy shall, if required on behalf of any Candidate, put to any Voter at the Time of his tendering his Vote, and not afterwards, the following Questions, or any of them, and no other:

1. Are you the same Person whose Name appears as *A. B.* on the Register of Voters now in force for the County of [*or* for the Riding, Parts, *or* Division, *&c. or* for the City, *&c. as the Case may be*]?
2. Have you already voted, either here or elsewhere, at this Election for the County of [*or* for the Riding, Parts, *or* Division of the County of , *or* for the City *or* Borough of *as the Case may be*]?
3. Have you the same Qualification for which your Name was originally inserted in the Register of Voters now in force for the County of, *&c.* [*or* for the Riding, *&c., or* for the City, *&c., as the Case may be, specifying in each Case the Particulars of the Qualification as described in the Register*]?

And if any Person shall wilfully make a false Answer to any of the Questions aforesaid, he shall be deemed guilty of an indictable Misdemeanor, and shall be punished accordingly; and the Returning Officer or his Deputy, or a Commissioner or Commissioners to be for that Purpose by him or them appointed, shall (if required on behalf of any Candidate at the Time aforesaid) administer an Oath (or, in case of a Quaker or Moravian, an Affirmation) to any Voter in the following Form; (that is to say,)

'YOU do swear, [*or, being a Quaker or Moravian,* do affirm,] That you are the same Person 'whose Name appears as *A. B.* on the Register of Voters now in force for the County of ' [*or* for the Riding, Parts, *or* Division of the County 'of *or* for the City *or* Borough of *as the Case may be*], 'and that you have not before voted, either here or elsewhere, at the present Election for the 'said County [*or* for the said Riding, Parts, *or* Division of the said County, *or* for the said 'City *or* Borough, *as the Case may be.*]

'So help you GOD.'

And no Elector shall hereafter at any such Election be required to take any Oath or Affirmation except as aforesaid, either in Proof of his Freehold or of his Residence, Age, or other Qualification or Right to vote, any Law or Statute, Local or General, to the contrary notwithstanding; and no Person claiming to vote at any such Election shall be excluded from voting thereat, except by reason of its appearing to the Returning Officer or his respective Deputy, upon putting such Questions as aforesaid, or any of them, that the Person so claiming to vote is not the same Person whose Name appears on such Register as aforesaid, or that he has previously voted at the same Election, or that he has not the same Qualification for which his Name was originally inserted in such Register, or except by reason of such Person refusing to take the said Oath or make the said Affirmation or to take or make the Oath or Affirmation against Bribery, or any other Oath or Affirmation now required by Law, and not hereby dispensed with; and no Scrutiny shall hereafter be allowed by or before any Returning Officer with regard to any Votes given or tendered at any Election of a Member or Members to serve in any future Parliament; any Law, Statute, or Usage to the contrary notwithstanding.

LIX. [*Persons excluded from the Register by the Barrister may tender their Votes at Elections. .... Tender to be recorded.*] Provided always, and be it enacted, That any Person whose Name shall have been omitted from any Register of Voters in consequence of the Decision of the

Barrister who shall have revised the Lists from which such Register shall have been formed may tender his Vote at any Election at which such Register shall be in force, stating at the Time the Name or Names of the Candidate or Candidates for whom he tenders such Vote, and the Returning Officer or his Deputy shall enter upon the Poll Book every Vote so tendered, distinguishing the same from the Votes admitted and allowed at such Election.

LX. [*Correctness of the Register to be questionable before a Committee of the House of Commons.*] Provided also, and be it enacted, That, upon Petition to the House of Commons, complaining of an undue Election or Return of any Member or Members to serve in Parliament, any Petitioner, or any Person defending such Election or Return, shall be at liberty to impeach the Correctness of the Register of Voters in force at the Time of such Election, by proving that in consequence of the Decision of the Barrister who shall have revised the Lists of Voters from which such Register shall have been formed, the Name of any Person who voted at such Election was improperly inserted or retained in such Register, or the Name of any Person who tendered his Vote at such Election improperly omitted from such Register; and the Select Committee appointed for the Trial of such Petition shall alter the Poll taken at such Election according to the Truth of the Case, and shall report their Determination thereupon to the House, and the House shall thereupon carry such Determination into effect, and the Return shall be amended, or the Election declared void, as the Case may be, and the Register corrected accordingly, or such other Order shall be made as to the House shall seem proper.

LXI. [*Sheriffs of the divided Counties to fix the Time and preside at Elections.*] And be it enacted, That the Sheriffs of *Yorkshire* and *Lincolnshire*, and the Sheriffs of the Counties divided by this Act, shall duly cause Proclamation to be made of the several Days fixed for the Election of a Knight or Knights of the Shire for the several Ridings, Parts, and Divisions of their respective Counties, and shall preside at the Election by themselves or their lawful Deputies.

LXII. [*Commencement and Continuance of Polls at County Elections.*] And be it enacted, That at every contested Election of a Knight or Knights to serve in any future Parliament for any County, or for any Riding, Parts, or Division of a County, the polling shall commence at Nine o'Clock in the Forenoon of the next Day but Two after the Day fixed for the Election, unless such next Day but Two shall be *Saturday* or *Sunday*, and then on the *Monday* following, at the principal Place of Election, and also at the several Places to be appointed as herein-after directed for taking Polls; and such polling shall continue for Two Days only, such Two Days being successive Days; (that is to say,) for Seven Hours on the first Day of polling, and for Eight Hours on the Second Day of polling; and no Poll shall be kept open later than Four o'Clock in the Afternoon of the Second Day; any Statute to the contrary notwithstanding.

LXIII. [*Counties to be divided into Districts for polling.*] And be it enacted, That the respective Counties in *England* and *Wales*, and the respective Ridings, Parts, and Divisions of Counties, shall be divided into convenient Districts for Polling, and in each District shall be appointed a convenient Place for taking the Poll at all Elections of a Knight or Knights of the Shire to serve in any future Parliament, and such Districts and Places for taking the Poll shall be settled and appointed by the Act to be passed in this present Parliament for the Purpose of settling and describing the Divisions of the Counties enumerated in the Schedule marked (F.) to this Act annexed; provided that no County, nor any Riding, Parts, or Division of a County, shall have more than Fifteen Districts and respective Places appointed for taking the Poll for such County, Riding, Parts, or Division.

LXIV. [*As to Booths at the Polling Places for Counties.... No Voter to poll out of the District where his Property lies.*] And be it enacted, That at every contested Election for any County, or Riding, Parts, or Division of a County, the Sheriff, Under Sheriff, or Sheriff's Deputy shall, if required thereto by or on behalf of any Candidate, on the Day fixed for the Election, and if not so required may if it shall appear to him expedient, cause to be erected a reasonable Number of Booths for taking the Poll at the principal Place of Election, and also at each of the Polling Places so to be appointed as aforesaid, and shall cause to be affixed on the most conspicuous Part of each of the said Booths the Names of the several Parishes, Townships, and Places for which such Booth is respectively allotted; and no Person shall be admitted to vote at any such Election in respect of any Property situate in any Parish, Township, or Place, except at the Booth so allotted for such Parish, Township, or Place, and if no

Booth shall be so allotted for the same, then at any of the Booths for the same District; and in case any Parish, Township, or Place shall happen not to be included in any of the Districts to be appointed, the Votes in respect of Property situate in any Parish, Township, or Place so omitted shall be taken at the principal Place of Election for the County, or Riding, Parts, or Division of the County, as the Case may be.

LXV. [*Provision as to Sheriff's Deputies, the Custody of Poll Books, and final Declaration of the Poll for Counties.*] And be it enacted, That the Sheriff shall have Power to appoint Deputies to preside and Clerks to take the Poll at the principal Place of Election, and also at the several Places appointed for taking the Poll for any County, or any Riding, Parts, or Division of a County; and that the Poll Clerks employed at those several Places shall at the Close of each Day's Poll enclose and seal their several Books, and shall publicly deliver them, so enclosed and sealed, to the Sheriff, Under Sheriff, or Sheriff's Deputy presiding at such Poll, who shall give a Receipt for the same, and shall, on the Commencement of the Poll on the Second Day, deliver them back, so enclosed and sealed, to the Persons from whom he shall have received them; and on the final Close of the Poll every such Deputy who shall have received any such Poll Books shall forthwith deliver or transmit the same, so enclosed and sealed, to the Sheriff or his Under Sheriff, who shall receive and keep all the Poll Books unopened until the re-assembling of the Court on the Day next but One after the Close of the Poll, unless such next Day but One shall be *Sunday*, and then on the *Monday* following, when he shall openly break the Seals thereon, and cast up the Number of Votes as they appear on the said several Books, and shall openly declare the State of the Poll, and shall make Proclamation of the Member or Members chosen not later than Two o'Clock in the Afternoon of the said Day.

LXVI. [*Sheriff in County Elections may act in Places of exclusive Jurisdiction.*] And be it enacted, That in all Matters relative to the Election of Knights or a Knight of the Shire to serve in any future Parliament, for any County, or for any Riding, Parts, or Division of a County the Sheriff of the County, his Under Sheriff, or any lawful Deputy of such Sheriff, shall have Power to act in all Places having any exclusive Jurisdiction or Privilege whatsoever, in the same Manner as such Sheriff, Under Sheriff, or Deputy may act within any Part of such Sheriff's ordinary Jurisdiction.

LXVII. [*Commencement and Continuance of Polls at Borough Elections in England.*] And be it enacted, That at every contested Election of a Member or Members to serve in any future Parliament for any City or Borough in *England*, except the Borough of *Monmouth*, the Poll shall commence on the Day fixed for the Election, or on the Day next following, or at the latest on the Third Day, unless any of the said Days shall be *Saturday*, or *Sunday*, and then on the *Monday* following, the particular Day for the Commencement of the Poll to be fixed by the Returning Officer; and such polling shall continue for Two Days only, such Two Days being successive Days, (that is to say,) for Seven Hours on the First Day of polling, and for Eight Hours on the Second Day of polling; and that the Poll shall on no Account be kept open later than Four o'Clock in the Afternoon of such Second Day; any Statute to the contrary notwithstanding.

LXVIII. [*Polling for Boroughs in England to be at several Booths, not more than* 600 *voting at One Compartment in a Booth.... Each Person to vote at the Booth appointed for his Parish or District.... If the Booths are in different Places, a Deputy to Preside at each Place.... As to Custody of Poll Books and final Declaration of Poll for Boroughs.*] And be it enacted, That at every contested Election of a Member or Members to serve in any future Parliament for any City or Borough in *England*, except the Borough of *Monmouth*, the Returning Officer shall, if required thereto by or on behalf of any Candidate, on the Day fixed for the Election, and if not so required may, if it shall appear to him expedient, cause to be erected for taking the Poll at such Election different Booths for different Parishes, Districts, or Parts of such City or Borough, which Booths may be situated either in one Place or in several Places, and shall be so divided and allotted into Compartments as to the Returning Officer shall seem most convenient, so that no greater Number than Six hundred shall be required to poll at any one Compartment; and the Returning Officer shall appoint a Clerk to take the Poll at each Compartment, and shall cause to be affixed on the most conspicuous Part of each of the said Booths the Names of the several Parishes, Districts, and Parts for which such Booth is respectively allotted; and no Person shall be admitted to vote at any such Election, except at the Booth allotted for the Parish, District, or Part wherein the Property may be situate in respect of which he claims to vote, or in case he does not claim to vote in respect of Property, then wherein his Place of Abode as described in the Register may be; but in case no Booth shall happen to be provided for any particular Parish, District, or Part as aforesaid, the Votes of Persons voting in respect of Property situate in any Parish, District, or Part so omitted, or having their Place of Abode therein, may be taken at any of the said Booths, and the Votes of Freemen residing out of the Limits of the City or Borough may be taken at any of the said Booths; and public Notice of the Situation, Division, and Allotment of the different Booths shall be given Two Days before the Commencement of the Poll by the Returning Officer; and in case the Booths shall be situated in different Places, the Returning Officer may appoint a Deputy to preside at each Place; and at every such Election the Poll Clerks at the Close of each Day's Poll shall enclose and seal their several Poll Books, and shall publicly deliver them, so enclosed and sealed, to the Returning Officer or his Deputy, who shall give a Receipt for the same, and shall, on the Commencement of the Poll on the Second Day deliver them back, so enclosed and sealed, to the Persons from whom he shall have received the same; and every Deputy so receiving any such Poll Books, on the final Close of the Poll shall forthwith deliver or transmit the same, so enclosed and sealed, to the Returning Officer, who shall receive and keep all the Poll Books unopened until the following Day, unless such Day be *Sunday*, and then till the *Monday* following, when he shall openly break the Seals thereon, and cast up the Number of Votes as they appear on the said several Books, and shall openly declare the State of the Poll, and make Proclamation of the Member or Members chosen, not later than Two o'Clock in the Afternoon of the said Day: Provided always, that the Returning Officer, or his lawful Deputy, may, if he think fit, declare the final State of the Poll, and proceed to make the Return immediately after the Poll shall have been lawfully closed: Provided also that no Nomination shall be made or Election holden of any Member for any City or Borough in any Church, Chapel, or other Place of Public Worship.

LXIX. [*Polling Districts to be appointed for Shoreham, Cricklade, Aylesbury, and East Retford.*] Provided always, and be it enacted, That so far as relates to the several Boroughs of *New Shoreham, Cricklade, Aylesbury,* and *East Retford,* as defined by this Act, the said several Boroughs shall be divided into convenient Districts for polling, and there shall be appointed in each District a convenient Place for taking the Poll at all Elections of Members to serve in any future Parliament for each of the said Boroughs, which Districts and Places for taking the Poll shall be settled and appointed by an Act to be passed in this present Parliament.

LXX. [*When Returning Officers may close the Poll before the Expiration of the Time fixed.... Adjournment of Poll in case of Riot.*] And be it enacted, That nothing in this Act contained shall prevent any Sheriff or other Returning Officer, or the lawful Deputy of any Returning Officer, from closing the Poll previous to the Expiration of the Time fixed by this Act, in any Case where the same might have been lawfully closed before the passing of this Act; and that where the Proceedings at any Election shall be interrupted or obstructed by any Riot or open Violence, the Sheriff or other Returning Officer, or the lawful Deputy of any Returning Officer, shall not for such Cause finally close the Poll, but, in case the Proceedings shall be so interrupted or obstructed at any particular Polling Place or Places, shall adjourn the Poll at such Place or Places only until the following Day, and if necessary shall further adjourn the same until such Interruption or Obstruction shall have ceased, when the Returning Officer or his Deputy shall again proceed to take the Poll at such Place or Places; and any Day whereon the Poll shall have been so adjourned shall not, as to such Place or Places, be reckoned One of the Two Days of polling at such Election within the Meaning of this Act; and wherever the Poll shall have been so adjourned by any Deputy of any Sheriff or other Returning Officer, such Deputy shall forthwith give Notice of such Adjournment to the Sheriff or Returning Officer, who shall not finally declare the State of the Poll, or make Proclamation of the Member or Members chosen, until the Poll so adjourned at such Place or Places as aforesaid shall have been finally closed, and delivered or transmitted to such Sheriff or other Returning Officer; any thing herein-before contained to the contrary notwithstanding.

LXXI. [*Candidates, or Persons proposing a Candidate without his Consent, to be at the Expence* *of Booths and Poll Clerks. . . . Limitation of Expence. . . . Houses may be hired for polling instead of Booths.*] And be it enacted, That from and after the End of this present Parliament all Booths erected for the Convenience of taking Polls shall be erected at the joint and equal Expence of the several Candidates, and the same shall be erected by Contract with the Candidates, if they shall think fit to make such Contract, or if they shall not make such Contract, then the same shall be erected by the Sheriff or other Returning Officer at the Expence of the several Candidates as aforesaid, subject to such Limitation as is herein-after next mentioned; (that is to say,) that the Expence to be incurred for the Booth or Booths to be erected at the principal Place of Election for any County, Riding, Parts, or Division of a County, or at any of the Polling Places so to be appointed as aforesaid, shall not exceed the Sum of Forty Pounds in respect of any One such principal Place of Election or any One such Polling Place; and that the Expence to be incurred for any Booth or Booths to be erected for any Parish, District, or Part of any City or Borough shall not exceed the Sum of Twenty-five Pounds in respect of any one such Parish, District, or Part; and that all Deputies appointed by the Sheriff or other Returning Officer shall be paid each Two Guineas by the Day, and all Clerks employed in taking the Poll shall be paid each One Guinea by the Day, at the Expence of the Candidates at such Election: Provided always, that if any Person shall be proposed without his Consent, then the Person so proposing him shall be liable to defray his Share of the said Expences in like Manner as if he had been a Candidate; provided also, that the Sheriff or Returning Officer may, if he shall think fit, instead of erecting such Booth or Booths as aforesaid, procure or hire and use any Houses or other Buildings for the Purpose of taking the Poll therein, subject always to the same Regulations, Provisions, Liabilities, and Limitations of Expence as are herein-before mentioned with regard to Booths for taking the Poll.

LXXII. [*Certified Copies of the Register of Voters for each Booth.*] And be it enacted, That the Sheriff or other Returning Officer shall, before the Day fixed for the Election, cause to be made, for the Use of each Booth or other Polling Place at such Election, a true Copy of the Register of Voters, and shall under his Hand certify every such Copy to be true.

LXXIII. [*Powers of Deputies of Returning Officers.*] And be it enacted, That every Deputy of a Sheriff or other Returning Officer shall have the same Power of administering the Oaths and Affirmations required by Law, and of appointing Commissioners for administering such Oaths and Affirmations, as may by Law be administered by Commissioners, as the Sheriff or other Returning Officer has by virtue of this or any other Act, and subject to the same Regulations and Provisions in every respect as such Sheriff or other Returning Officer.

LXXIV. [*Regulations respecting polling, &c. for the Borough of Monmouth, and for the contributory Boroughs in Wales. . . . As to Appointment of Deputies in Wales.*] And be it enacted, That from and after the End of this present Parliament, every Person who shall have a Right to vote in the Election of a Member for the Borough of *Monmouth*, in respect of the Towns of *Newport* or *Usk*, shall give his Vote at *Newport* or *Usk* respectively before the Deputy for each of such Towns, whom the Returning Officer of the Borough of *Monmouth* is hereby authorised and required to appoint; and every Person who shall have a Right to vote in the Election of a Member for any Shire-Town or Borough, in respect of any Place named in the First Column of the Schedule marked (E.) to this Act annexed, shall give his Vote at such Place before the Deputy for such Place whom the Returning Officer of the Shire-Town or Borough is hereby authorized and required to appoint; and every Person who shall have a Right to vote in the Election of a Member for the Borough composed of the Towns of *Swansea, Loughor, Neath, Aberavon,* and *Ken-fig* shall give his Vote at the Town in respect of which he shall be entitled to vote, (that is to say,) at *Swansea* before the Portreeve of *Swansea*, and at each of the other Towns before the Deputy of such Town whom the said Portreeve is hereby authorized and required to appoint; and at every contested Election for the Borough of *Monmouth*, or for any Shire-Town or Borough named in the Second Column of the said Schedule (E.), or for the Borough composed of the said Five Towns, or for the Borough of *Brecon*, the polling shall commence on the Day next after the Day fixed for the respective Election, unless such next Day be *Saturday* or *Sunday*, and then on the *Monday* following, as well at *Monmouth* as at *Newport* and *Usk* respectively, and as well at the Shire-Town or Borough as at each of the Places sharing in the Election therewith respectively. and as well at *Swansea* as at each of the Four other Towns respectively; and such polling shall continue for Two Days only, such Two

Days being successive Days, (that is to say,) for Seven Hours on the First Day of polling, and for Eight Hours on the Second Day of polling, and that the Poll shall on no Account be kept open later than Four o'Clock in the Afternoon of such Second Day; and the Returning Officer of the Borough of *Monmouth* shall give to the Deputies for *Newport* and *Usk* respectively, and the Returning Officer of every Shire-Town or Borough named in the Second Column of the said Schedule (E.) shall give to the Deputy for each of the Places sharing in the Election for such Shire-Town or Borough Notice of the Day fixed for such respective Election, and shall before the Day fixed for such respective Election cause to be made, and to be delivered to every such Deputy, a true Copy of the Register of Voters for the Borough of *Monmouth*, or for such Shire-Town or Borough, as the Case may be, and shall under his Hand certify every such Copy to be true; and the Portreeve of the town of *Swansea* shall give Notice of the Day of Election to the Deputy for each of the Towns of *Loughor*, *Neath*, *Aberavon*, and *Ken-fig*, and shall in like Manner cause to be made, and to be delivered to every such Deputy, a true and certified Copy of the Register of Voters for the Borough composed of the said Five Towns; and the respective Deputies for *Newport* and *Usk*, and for the respective Places named in the First Column of the said Schedule (E.), as well as for the Towns of *Loughor*, *Neath*, *Aberavon*, and *Ken-fig*, shall respectively take and conduct the Poll, and deliver or transmit the Poll Books, in the same Manner as the Deputies of the Returning Officers of the Cities and Boroughs in *England* are herein-before directed to do, and shall have the same Powers and perform the same Duties in every respect as are respectively conferred and imposed on the said Deputies by this Act; Provided always, that where there shall be a Mayor, Portreeve, or other Chief Municipal Officer, in any Town or Place for which the Returning Officer or the Portreeve of *Swansea* is required to appoint a Deputy as aforesaid, such Returning Officer or the Portreeve of *Swansea*, as the Case may be, is hereby required to appoint such Chief Municipal Officer for the Time being to be such Deputy for such Town or Place.

LXXV. [*All Election Laws to remain in force, except where superseded by this Act.*] And be it enacted, That all Laws, Statutes, and Usages now in force respecting the Election of Members to serve in Parliament for that Part of the United Kingdom called *England* and *Wales* shall be and remain, and are hereby declared to be and remain, in full Force, and shall apply to the Election of Members to serve in Parliament for all the Counties, Ridings, Parts, and Divisions of Counties, Cities, and Boroughs, hereby empowered to return Members, as fully and effectually as if the same respectively had heretofore returned Members, except so far as any of the said Laws, Statutes, or Usages are repealed or altered by this Act, or are inconsistent with the Provisions thereof.

LXXVI. [*Penalties on Officers for Breach of Duty.*] And be it enacted, That if any Sheriff, Returning Officer, Barrister, Overseer, or any Person whatsoever shall wilfully contravene or disobey the Provisions of this Act or any of them ,with respect to any Matter or Thing which such Sheriff, Returning Officer, Barrister, Overseer, or other Person is hereby required to do, he shall for such his Offence be liable to be sued in an Action of Debt in any of His Majesty's Courts of Record at *Westminster* for the penal Sum of Five hundred Pounds, and the Jury before whom such Action shall be tried may find their Verdict for the full Sum of Five hundred Pounds, or for any less Sum which the said Jury shall think it just that he should pay for such his Offence; and the Defendant in such Action, being convicted, shall pay such penal Sum so awarded, with full Costs of Suit, to the Party who may sue for the same: Provided always, that no such Action shall be brought except by a Person being an Elector or claiming to be an Elector, or a Candidate, or a Member actually returned, or other Party aggrieved: Provided also that the Remedy hereby given against the Returning Officer shall not be construed to supersede any Remedy or Action against him according to the Law now in force.

LXXVII. [*Writs, &c. to be made conformable to this Act.*] And be it enacted, That all Writs to be issued for the Election of Members to serve in all future Parliaments, and all Mandates, Precepts, Instruments, Proceedings, and Notices consequent upon such Writs, shall be and the same are hereby authorized to be framed and expressed in such Manner and Form as may be necessary for the carrying the Provisions of this Act into effect.

LXXVIII. [*This Act not to extend to Universities of Oxford and Cambridge.*] Provided always, and be it enacted, That nothing in this Act contained shall extend to or in anywise affect the Election of Members to serve in Parliament for the Universities of *Oxford* or *Cam-*

bridge, or shall entitle any Person to vote in the Election of Members to serve in Parliament for the City of *Oxford* or Town of *Cambridge* in respect of the Occupation of any Chambers or Premises in any of the Colleges or Halls of the Universities of *Oxford* or *Cambridge*.

LXXIX. [*Of the Sense in which Words in this Act are to be understood:..“ City or Borough:”.. “ Returning Officer:”....“ Parish or Township:”....“ Overseers of the Poor:”....“ Justices of the Peace for Counties,” &c.:.... Misnomer not to vitiate.*] And be it enacted, That throughout this Act, wherever the Words “City or Borough,” “Cities or Boroughs,” may occur, those Words shall be construed to include, except there be something in the Subject or Context manifestly repugnant to such Construction, all Towns Corporate, Cinque Ports, Districts, or Places within *England* and *Wales* which shall be entitled after this Act shall have passed to return a Member or Members to serve in Parliament, other than Counties at large, and Ridings, Parts, and Divisions of Counties at large, and shall also include the Town of *Berwick-upon-Tweed;* and the Words “Returning Officer” shall apply to every Person or Persons to whom, by virtue of his or their Office, either under the present Act, or under any former Law, Custom, or Statute, the Execution of any Writ or Precept doth or shall belong for the Election of a Member or Members to serve in Parliament, by whatever Name or Title such Person or Persons may be called; and the Words “Parish or Township” shall extend to every Parish, Township, Vill, Hamlet, District, or Place maintaining its own Poor; and the Words “Overseers of the Poor” shall extend to all Persons who by virtue of any Office or Appointment shall execute the Duties of Overseers of the Poor, by whatever Name or Title such Persons may be called, and in whatsoever Manner they may be appointed, and that all Matters by this Act directed to be done by the Overseers of a Parish or Township may be lawfully done by the major Part of such Overseers, and that wherever any Notice is by this Act required to be given to the Overseers of any Parish or Township, it shall be sufficient if such Notice shall be delivered to any One of such Overseers, or shall be left at his Place of Abode, or at his Office or other Place for transacting Parochial Business, or shall be sent by the Post, addressed by a sufficient Direction, to the Overseers of the particular Parish or Township, or to any One of them, either by their or his Christian Name and Surname, or by their or his Name of Office; and that all Provisions in this Act relative to any Matters to be done by or with regard to Justices of the Peace for Counties, or Sessions of the Peace for Counties, or Clerks of the Peace for Counties, or Treasurers of Counties, shall extend to the Justices, Sessions, Clerks of the Peace, and Treasurers of the several Ridings of *Yorkshire* and Parts of *Lincolnshire*, and that the Clerk of the Peace for the Time being for the Borough of *Newport* in the *Isle of Wight* shall for the Purposes of this Act be deemed and taken to be the Clerk of the Peace for the County of the *Isle of Wight*, and that all the said respective Justices, Sessions, and Clerks of the Peace shall have Power to do the several Matters required by this Act, as well within Places of exclusive Jurisdiction as without; and that no Misnomer or inaccurate Description of any Person or Place named or described in any Schedule to this Act annexed, or in any List or Register of Voters, or in any Notice required by this Act, shall in anywise prevent or abridge the Operation of this Act with respect to such Person or Place, provided that such Person or Place shall be so designated in such Schedule, List, Register, or Notice as to be commonly understood.

LXXX. [*In case the proposed Boundary Act shall not pass before the 20th of June,* 1832, *the Preparations for First Registration to be deferred; but if the Boundary Act pass after that Day, the Periods preparatory to and connected with the First Registration to be settled by an Order in Council.... Proviso.*] ‘And whereas it may happen that the Act or Acts for settling the Boundaries of Cities, Boroughs, and other Places, and the Divisions of Counties, as herein-before ‘mentioned, may not be passed within such Time as will allow the several Provisions of this ‘Act relative to the Lists of Voters within such respective Boundaries and Divisions, and the ‘various Notices and Proceedings preparatory to and connected with such Lists, to be carried ‘into effect within the several Periods in the present Year herein-before specified and limited ‘in that Behalf; and it is therefore expedient in such Event as aforesaid to appoint other ‘Periods for the Purposes aforesaid;’ be it therefore enacted, That if the Act or Acts for settling the Boundaries and Divisions herein-before mentioned, shall not be passed before the Twentieth Day of *June* in the present Year, then and in such Case the Notice herein-before required to be given on the said Twentieth Day of *June* shall not be given on that Day, and the Lists of Voters, and the Notices and other Proceedings preparatory to and connected with such Lists, shall not be made out, given, or had upon or within the several Days or Times in the present Year herein-before specified in that Behalf; but if the Act or Acts for settling the Boundaries of Cities, Boroughs, and other Places, and the Divisions of Counties, as herein-before mentioned, shall be passed in the present Year subsequently to the Twentieth Day of *June*, then and in such Case His Majesty shall, by an Order made with the Advice of His Most Honourable Privy Council, appoint, in lieu of the Day for the present Year herein-before specified in that Behalf, a certain other Day, before or upon which the respective Lists of Voters shall be made out, and shall also appoint, in lieu of the several Days and Times for the present Year herein-before specified or limited in that Behalf, certain other Days and Times upon or within which all Notices, Claims, Objections, and other Matters whatsoever by this Act required to be given, delivered, transmitted, done, or performed in relation to such Lists, either before or after the making out of such Lists, shall be respectively given, delivered, transmitted, done, and performed; and His Majesty shall also by such Order appoint in lieu of the Period for the present Year herein-before limited in that Behalf, a certain other Period for the Revision of the respective Lists of Voters by the Barristers, and shall also appoint within what Time, in lieu of the Time for the present Year herein-before limited in that Behalf, such respective Lists shall be copied out into Books, and, where necessary, delivered to the Sheriff or Under Sheriff, and from what Day, in lieu of the Day for the present Year herein-before specified in that Behalf, such respective Books shall begin to be in force as the Registers of Voters; and His Majesty may also by such Order in Council appoint any Days and Times for doing the several other Matters required or authorized by this Act, in lieu of the several Days and Times for the present Year herein-before specified; and all Days and Times so appointed by His Majesty as aforesaid shall be deemed to be of the same Force and Effect as if they had in every Instance been mentioned in this Act in lieu of the Days and Times for the present Year herein-before specified in that Behalf: Provided always, that nothing herein contained shall authorize His Majesty to appoint any Days or Times in lieu of the Days and Times mentioned in this Act, except for the Purpose of carrying into Effect the first Registration of Voters under this Act: Provided also, that no Person shall be entitled to be included in such first Registration of Voters unless he would have been entitled on the last Day of *July* in the present Year to have his Name inserted in some List of Voters if such List had been made out on the said last Day of *July*.

LXXXI. [*In case of a Dissolution of Parliament after the passing of the proposed Boundary Act, and before Registration, the Rights of voting shall take effect without Registration.*] Provided always, and be it enacted, That if a Dissolution of the present Parliament shall take place after the passing of this Act, and after the passing of the Act or Acts for settling the Boundaries of Cities, Boroughs, and other Places, and the Divisions of Counties, as herein-before mentioned, but before the Day at and from which the Registers of Voters to be first made by virtue of this Act shall begin to be in force, in such Case such Persons only shall be entitled to vote in the Election of Members to serve in a new Parliament for any County, or for any Riding, Parts, or Division of a County, or for any City or Borough, as would be entitled to be inserted in the respective Lists of Voters for the same directed to be made under this Act, if the Day of Election had been the Day for making out such respective Lists; and such Persons shall be entitled to vote in such Election although they may not be registered according to the Provisions of this Act, any thing herein contained notwithstanding; and the polling at such Election for any County, or for any Riding, Parts, or Division of a County, may be continued for Fifteen Days, and the polling at such Election for any City or Borough may be continued for Eight Days, any thing herein contained notwithstanding.

LXXXII. [*In case of a Dissolution of Parliament before the passing of the proposed Boundary Act, Counties not to be divided; Boundaries of new Boroughs defined; Boundaries of old Boroughs to remain, and the Rights of voting to take effect without Registration.*] Provided also, and be it enacted, That if a Dissolution of the present Parliament shall take place after the passing of this Act, and before the passing of the Act or Acts for settling respectively the Boundaries of Cities, Boroughs, and other Places, and the Divisions of Counties, as herein-before mentioned, then and in such Case the Election of Members to serve in a new Parliament shall, both as to the Persons entitled to vote, and otherwise, be regulated according to the Provisions of this Act, save and except as herein-after mentioned; (that is to say,) that as to the several

Counties enumerated in the Schedule (F.) to this Act annexed, all Persons entitled by virtue of this Act in respect of Property therein to vote in the Election of Knights of the Shire shall be entitled to vote for Four Knights of the Shire to serve in such new Parliament for each of the said Counties, and not for Two Knights to serve for any Division of the said Counties; and that as to the several Boroughs enumerated in the Schedules (C.) and (D.) to this Act annexed, each of the said Boroughs shall, for the Purpose of electing a Member or Members to serve in such new Parliament, be deemed to include such Places as are specified and described in conjunction with the Name of each of the said Boroughs in the Schedule marked (L.) to this Act annexed; and that as to the several Cities and Boroughs in *England* and *Wales* not included in the Schedule (A.) to this Act annexed, and now returning a Member or Members to serve in Parliament, and the Places sharing in the Election for such Cities and Boroughs, each of such Cities, Boroughs, and Places respectively shall, for the Purpose of electing a Member or Members to serve in such new Parliament as aforesaid, be deemed to be comprehended within the same Limits as before the passing of this Act, and not otherwise; and that no Place named in the First Column of the Schedule (E.) to this Act annexed, which before the passing of this Act did not share in the Election of a Member for any Shire-Town or Borough named in the Second Column of the said Schedule (E.), shall share in the Election of a Member for any Shire-Town or Borough, to serve in such new Parliament, any thing herein-before contained to the contrary notwithstanding; and that the Borough composed of the Towns of *Swansea*, *Loughor*, *Neath*, *Aberavon*, and *Ken-fig* shall not return a Member to serve in such new Parliament, but shall instead thereof share in the Election of a Member to serve in such new Parliament for the Borough of *Cardiff*, any thing herein-before contained to the contrary notwithstanding; and that in the Event of such Dissolution of Parliament so taking place as last aforesaid, such Persons only shall be entitled to vote in the Election of Members to serve in such new Parliament as aforesaid for the Counties, Ridings, Parts, Cities, and Boroughs which in such Event shall return Members to serve in such new Parliament, as would be entitled to be inserted in the respective Lists of Voters directed to be made under this Act if the Day of Election had been the Day for making out such respective Lists; and such Persons shall be entitled to vote in such Election although they may not be registered according to the Provisions of this Act, any thing herein-before contained to the contrary notwithstanding; and the polling at such Election for any County, or for any Riding of *Yorkshire*, or Parts of *Lincolnshire*, may be continued for Fifteen Days, and the polling at such Election for any City or Borough may be continued for Eight Days, any thing herein-before contained to the contrary notwithstanding.

SCHEDULES

TO WHICH THE FOREGOING ACT REFERS.

SCHEDULE (A.)

Boroughs to cease to send Members to Parliament.

Old Sarum, *in the County of* Wiltshire
Newtown .... Isle of Wight
St. Michael's, or Midshall .... Cornwall
Gatton .... Surrey
Bramber .... Sussex
Bossiney .... Cornwall
Dunwich .... Suffolk
Ludgershall .... Wiltshire
St. Mawe's .... Cornwall
Beeralston .... Devonshire
West Looe .... Cornwall
St. Germain's .... Cornwall
Newport .... Cornwall
Blechingley .... Surrey
Aldborough .... Yorkshire
Camelford .... Cornwall
Hindon .... Wiltshire
East Looe .... Cornwall
Corfe Castle .... Dorsetshire
Bedwin (Great) .... Wiltshire
Yarmouth .... Isle of Wight, Hampshire
Queenborough .... Kent
Castle Rising .... Norfolk
East Grinstead, Sussex
Higham Ferrers .... Northamptonshire
Wendover .... Buckinghamshire
Weobly .... Herefordshire
Winchilsea .... Sussex
Tregony .... Cornwall
Haslemere .... Surrey
Saltash .... Cornwall
Orford .... Suffolk
Callington .... Cornwall
Newton .... Lancashire
Ilchester .... Somersetshire
Boroughbridge .... Yorkshire
Stockbridge .... Hampshire
Romney (New) .... Kent
Hedon .... Yorkshire
Plympton .... Devonshire
Seaford .... Sussex
Heytesbury .... Wiltshire
Steyning .... Sussex
Whitchurch .... Hampshire
Wootton Bassett .... Wiltshire
Downton .... Wiltshire
Fowey .... Cornwall
Milborne Port .... Somersetshire
Aldeburgh .... Suffolk
Minehead .... Somersetshire
Bishop's Castle .... Shropshire
Okehampton .... Devonshire
Appleby .... Westmoreland
Lostwithiel .... Cornwall
Brackley .... Northamptonshire
Amersham .... Buckinghamshire

SCHEDULE (B.)

Boroughs to return one Member.

Petersfield, *in the County of* Hampshire
Ashburton ...... Devonshire
Eye ...... Suffolk
Westbury ...... Wiltshire
Wareham ...... Dorsetshire
Midhurst ...... Sussex
Woodstock ...... Oxfordshire
Wilton ...... Wiltshire
Malmesbury ...... Wiltshire
Liskeard ...... Cornwall
Reigate ...... Surrey
Hythe ...... Kent
Droitwich ...... Worcestershire
Lyme Regis ...... Dorsetshire
Launceston ...... Cornwall
Shaftesbury ...... Dorsetshire
Thirsk ...... Yorkshire
Christchurch ...... Hampshire
Horsham ...... Sussex
Great Grimsby ...... Lincolnshire
Calne ...... Wiltshire
Arundel ...... Sussex
St. Ives ...... Cornwall
Rye ...... Sussex
Clitheroe ...... Lancashire
Morpeth...... Northumberland
Helston ...... Cornwall
North Allerton .... Yorkshire
Wallingford ...... Berkshire
Dartmouth ...... Devonshire

SCHEDULE (C.)

New Boroughs to return two Members, with the Counties in which they are situated, and their Returning Officers.

Manchester, *in the County of* Lancashire ...... The Boroughreeve and Constables of Manchester
Birmingham (Warwickshire) ...... The Two Bailiffs of Birmingham
Leeds (Yorkshire) ...... The Mayor of Leeds
Greenwich (Kent) ......
Sheffield (Yorkshire) ...... The Master Cutler
Sunderland (Durham) ......
Devonport (Devonshire) ......
Wolverhampton (Staffordshire) ...... Constable of the Manor of the Deanery of Wolverhampton
Tower Hamlets (Middlesex) ......
Finsbury (Middlesex) ......
Mary-le-Bone (Middlesex) ......
Lambeth (Surrey) ......
Bolton (Lancashire) ...... The Boroughreeves of Great and Little Bolton
Bradford (Yorkshire) ......
Blackburn (Lancashire) ......
Brighton (Sussex) ......
Halifax (Yorkshire) ......
Macclesfield (Cheshire) ...... The Mayor of Macclesfield
Oldham (Lancashire) ......
Stockport (Cheshire) ...... The Mayor of Stockport

Stoke-upon-Trent (Staffordshire) ......
Stroud (Gloucestershire) ......

SCHEDULE (D.)

New Boroughs to return One Member, with the principal Places to be Boroughs, and their Returning Officers.

Ashton-under-Lyne, *in the County of* Lancashire ...... The Mayor of Ashton-under-Lyne
Bury (Lancashire) ......
Chatham (Kent) ......
Cheltenham (Gloucestershire) ......
Dudley (Worcestershire) ......
Frome (Somersetshire) ......
Gateshead (Durham) ......
Huddersfield (Yorkshire)
Kidderminster (Worcestershire) ...... The High Bailiff of Kidderminster
Kendal (Westmoreland) ...... The Mayor of Kendal
Rochdale (Lancashire) ......
Salford (Lancashire) ...... The Boroughreeve of Salford
South Shields (Durham) ......
Tynemouth (Northumberland) ......
Wakefield (Yorkshire) ......
Walsall (Staffordshire) ...... The Mayor of Walsall
Warrington (Lancashire) ......
Whitby (Yorkshire) ......
Whitehaven (Cumberland) ......
Merthyr Tydvil (Glamorganshire) ......

SCHEDULE (E.)

Places in Wales to have a Share in Elections for the Shire Towns or principal Boroughs, with the Counties in which such Boroughs are situate.

Amlwch, Holyhead, and Llangefni, *sharing with* Beaumaris, *in the County of* Anglesey
Aberystwith, Lampeter, and Adpar, *sharing with* Cardigan ...... Cardiganshire
Llanelly, *sharing with* Caermarthen ...... Caermarthenshire
Pwllheli, Nevin, Conway, Bangor, Criccieth, *sharing with* Caernarvon ...... Caernarvonshire.
Ruthin, Holt, and Town of Wrexham, *sharing with* Denbigh ...... Denbighshire
Rhyddlan, Overton, Caerwis, Caergwrley, St. Asaph, Holywell, and Mold, *sharing with* Flint ...... Flintshire
Cowbridge and Llantrissent, *sharing with* Cardiff ...... Glamorganshire
Llanidloes, Welsh Pool, Machinlleth, Llanfyllyn, and Newtown, *sharing with* Montgomery ...... Montgomeryshire
Narberth and Fishguard, *sharing with* Haverfordwest ..... Pembrokeshire
Tenby, Wiston, and Town of Milford, *sharing with* Pembroke ...... Pembrokeshire
Knighton, Rhayder, Kevinleece, Knucklas, and Town of Presteigne, *sharing with* Radnor ...... Radnorshire

SCHEDULE (E 2.)

Places sharing in the Election of Members, with the Places therein from which the Seven Miles are to be calculated.

Newport ...... The Market Place
Usk ..... The Town Hall
Aberystwith ...... The Bridge over the Rheidal
Lampeter ...... The Parish Church
Adpar ...... The Bridge over the Teivi
Pwllheli ...... The Guildhall
Nevin ...... The Parish Church
Conway ...... The Parish Church
Criccieth ...... The Castle
Ruthin ...... The Parish Church called St. Peter's
Holt ...... The Parish Church
Rhyddlan ...... The Parish Church
Overton ..... The Parish Church
Caerwis ...... The Parish Church
Caergwrley ...... The Parish Church of Hope
Cowbridge ...... The Town Hall
Llantrissent ...... The Town Hall
Tenby ...... The Parish Church
Wiston ...... The Parish Church
Knighton ...... The Parish Church
Rhayder ...... The Market Place
Kevinleece ...... The Parish Church
Knucklas ...... The site of the ancient Castle of Cnweglas
Swansea ...... The Town Hall
Loughor ...... The Parish Church
Neath ...... The Town Hall
Aberavon ...... The Bridge over the Avon
Ken-fig ...... The Parish Church of Lower Kenfig

SCHEDULE (F.)

Counties to be divided, and to return Two Knights for each Division.

Cheshire
Cornwall
Cumberland
Derbyshire
Devonshire
Durham
Essex
Gloucestershire
Kent
Hampshire
Lancashire
Leicestershire
Norfolk
Northumberland
Northamptonshire
Nottinghamshire
Shropshire
Somersetshire
Staffordshire
Suffolk
Surrey
Sussex
Warwickshire
Wiltshire
Worcestershire

SCHEDULE (F 2.)

Counties to return Three Members each.

Berkshire
Buckinghamshire
Cambridgeshire
Dorsetshire
Herefordshire
Hertfordshire
Oxfordshire

SCHEDULE (G.)

Towns which are Counties in themselves to be included in adjoining Counties for County Elections.

Caermarthen ...... Caermarthenshire
Canterbury ...... Kent
Chester ...... Cheshire
Coventry ...... Warwickshire
Gloucester ...... Gloucestershire
Kingston-upon-Hull ...... East Riding of Yorkshire
Lincoln ...... The Parts of Lindsey, Lincolnshire
London ...... Middlesex
Newcastle-upon-Tyne ...... Northumberland
Poole ...... Dorsetshire
Worcester ...... Worcestershire
York and Ainsty ...... North Riding, Yorkshire
Southampton ...... Hampshire

SCHEDULE (H.)

FORMS OF LISTS AND NOTICES APPLICABLE TO COUNTIES.

No. 1.—*Notice of the making out of the Lists to be given by the Overseers.*

We hereby give Notice, That we shall, on or before the last Day of July in this Year, make out a List of all Persons entitled to vote in the Election of a Knight or Knights of the Shire for the County of [*or* for the Riding, Parts, *or* Division of the County of *as the Case may be*], in respect of Property situate wholly or in part within this Parish [*or* Township]; and all Persons so entitled are hereby required to deliver or transmit to us, on or before the Twentieth Day of July in this Year, a Claim in Writing, containing their Christian Name and Surname, their Place of Abode, the Nature of their Qualification, and the Name of the Street, Lane, or other like Place wherein the Property in respect of which they claim to vote is situated; and if the Property be not situated in any Street, Lane, or other like Place, then such claim must describe the Property by the Name by which it is usually known, or by the Name of the Tenant occupying the same; and each of such Persons so claiming must also at the same Time pay to us the Sum of One Shilling. Persons omitting to deliver or transmit such Claim or to make such Payment will be excluded from the Register of Voters for this County [*or* Riding, Parts, *or* Division, *as the Case may be.*] [*In subsequent Years after One thousand eight hundred and thirty-two, add the following Words,* "But Persons whose Names are now on the Register are not required to make a fresh Claim so long as they retain the same Qualification and continue in the same Place of Abode as described in the Register."]

(Signed) A. B.—C. D.—E. F.—Overseers of the Parish [*or* Township] of

No. 2.—*Notice of Claim to be given to the Overseers.*

I hereby give you Notice, That I claim to be inserted in the List of Voters for the County of [*or* for the Riding, Parts, *or* Division of the County of *as the Case may be*], and that the Particulars of my Place of Abode and Qualification are stated below. Dated the Day of in the Year

(Signed) John Adams.

Place of Abode, Cheapside, London.

Nature of Qualification, Freehold House, [*or* Warehouse, Stable, Land, Field, Annuity, Rent-charge, *&c. as the Case may be, giving such a Description of the Property as may serve to identify it.*]

Where situate in this Parish [*or* Township], King Street. [*If the Property be not situate in any Street, Lane, or other like Place, then say,* "Name of the Property, Highfield Farm," *or,* "Name of the occupying Tenant, John Edwards."]

No. 3.

County of to wit, [*or* Riding, Parts, *or* Division of the County of *as the Case may be.*] } The List of Persons entitled to vote in the Election of a Knight [*or* Knights] of the Shire for the County of [*or* for the Riding, Parts, *or* Division of the County of *as the Case may be*], in respect of Property situate within the Parish of [*or* Township, *as the Case may be*]

Christian Name and Surname of each Voter at full Length.	Place of Abode.	Nature of Qualification.	Street, Lane, or other like Place in this Parish [*or* Township] where the Property is situate, or Name of the Property or Name of the Tenant.
Adams, John	Cheapside, London ..	Freehold House ..	King Street.
Alley, James	Long Lane, in this Parish	Copyhold Field	John Edwards, Tenant.

(Signed) A. B.—C. D.—E. F.—Overseers of the said Parish [*or* Township].

No. 4.—*Notice of Objection to be given to the Overseers.*

To the Overseers of the Parish of [*or* Township, *as the Case may be*].

I hereby give you Notice, That I object to the Name of William Ball being retained in the List of Voters for the County of [*or* for the Riding, Parts, *or* Division of the County of]. Dated the Day in the Year

(Signed) A. B. of [*Place of Abode*].

No. 5.—*Notice of Objection to Parties inserted in the List.*

To Mr. William Ball.

I hereby give you Notice, That I object to your Name being retained in the List of Voters for the County of [*or* for the Riding, Parts, *or* Division of the County of], and that you will be required to prove your Qualification at the Time of the revising of the said List. Dated the Day of in the Year

(Signed) A. B. of [*Place of Abode*].

No. 6.—*List of Persons objected to, to be published by the Overseers.*

The following Persons have been objected to as not being entitled to have their Names retained in the List of Voters for the County of [*or* for the Riding, Parts, *or* Division of the County of].

Christian Name and Surname of each Person objected to.	Place of Abode.	Nature of the supposed Qualification.	Street, Lane, or other like Place in this Parish [*or* Township] where the Property is situate, or Name of the Property, or Name of the Tenant.
Alley, James	Long Lane in this Parish	Copyhold Field ..	John Edwards, Tenant.
Ball, William	Market Street, Lancaster ..	Lease of Warehouse for Years ..	Duke Street.

(Signed) A. B. } C. D. } E. F. } Overseers of the Parish of [*or* Township, *as the Case may be*].

SCHEDULE (I.)

FORMS OF LISTS AND NOTICES APPLICABLE TO CITIES AND BOROUGHS.

No. 1.—The List of Persons entitled to vote in the Election of a Member [*or* Members] for the City [*or* Borough] of in respect of Property occupied within the Parish [*or* Township] of by virtue of an Act passed in the Second Year of the Reign of King William the Fourth, intituled "An Act to amend the Representation of the People in England and Wales."

Christian Name and Surname of each Voter at full Length.	Nature of Qualification.	Street, Lane, or other Place in this Parish where the Property is situate.
Ashton, John	House	Church Street.
Atkinson, William	Warehouse	Bolt Court, Fleet Street.

(Signed) A. B.—C. D.—E. F.—Overseers of the said Parish [*or* Township].

No. 2.—The List of all Persons (not being Freemen) entitled to vote in the Election of a Member [*or* Members] for the City [*or* Borough] of in respect of any Rights other than those conferred by an Act passed in the Second Year of the Reign of King William the Fourth, intituled "An Act to amend the Representation of the People in England and Wales."

Christian Name and Surname of each Voter at full Length.	Nature of Qualification.	Street, Lane, or other Place in this Parish where the Property is situate. *If the Right of voting does not depend on Property, then state the Place of Abode.*

(Signed) A. B.—C. D.—E. F.—Overseers of the Parish of [*or* Township] within the said City [*or* Borough].

No. 3—The List of the Freemen of the City [*or* Borough] of [*or* of being a Place sharing in the Election with the City [*or* Borough] of] entitled to vote in the Election of a Member [*or* Members] for the said City [*or* Borough].

Christian Name and Surname of each Freeman at full Length.	Place of his Abode.

(Signed) A. B.—Town Clerk of the said City [*or* Borough, *or* Place].

No. 4.—*Notice of Claim.*

To the Overseers of the Parish [*or* Township] of [*or* to the Town Clerk of the City [*or* Borough] of *or otherwise, as the Case may be*].

I hereby give you Notice, That I claim to have my Name inserted in the List made by you of Persons entitled to vote in the Election of a Member [*or* Members] for the City [*or* Borough] of , and that my Qualification consists of a House in Duke Street in your Parish, *or otherwise* [*as the Case may be*]; [*and in the Case of a Freeman, say*, and that my Qualification is as a Freeman of , and that I reside in Lord Street in this City *or* Borough]. Dated the Day of One thousand eight hundred and thirty .

(Signed) John Allen of [*Place of Abode.*]

No. 5.—*Notice of Objection.*

To the Overseers of the Parish [*or* Township] of [*or* to the Town Clerk of the City [*or* Borough] of *or otherwise, as the Case may be*].

I hereby give you Notice, That I object to the Name of Thomas Bates being retained in the List of Persons entitled to vote in the Election of a Member [*or* Members] for the City [*or* Borough] of , and that I shall bring forward such Objection at the Time of the revising of such List. Dated the Day of in the Year

(Signed) A. B. of [*Place of Abode.*]

No. 6.—*List of Claimants, to be published by the Overseers.*

The following Persons claim to have their Names inserted in the List of Persons entitled to vote in the Election of a Member [*or* Members] for the City [*or* Borough] of

Christian Name and Surname of each Claimant at full Length.	Nature of Qualification.	Street, Lane, or other Place in this Parish where the Property is situate. *If the Right does not depend on Property, state the Place of Abode.*
Allen, John	House.	Duke Street.

(Signed) A. B.—C. D.—E. F.—Overseers of, *&c.*

No. 7.—*List of Persons objected to, to be published by the Overseers.*

The following Persons have been objected to as not being entitled to have their Names retained in the List of Persons qualified to vote in the Election of a Member [*or* Members] for the City [*or* Borough] of .

Christian Name and Surname of each Person objected to.	Nature of the supposed Qualification.	Street, Lane, or other Place in this Parish where the Property is situate. *If the Right does not depend on Property, state the Place of Abode.*
Bates, Thomas.	Shop.	Castle Street.

(Signed) A. B.—C. D.—E. F.—Overseers of, *&c.*

No. 8.—*List of Claimants, to be published by the Town Clerks.*

The following Persons claim to have their Names inserted in the List of the Freemen of the City [*or* Borough] of [*or* of being a Place sharing in the Election with the City [*or* Borough] of], entitled to vote in the Election of a Member [*or* Members] for the said City [*or* Borough].

Christian Name and Surname of each Claimant at full Length.	Place of his Abode.

(Signed) A. B.—Town Clerk of the said City [*or* Borough *or* Place].

No. 9.—*The List of Persons objected to, to be published by the Town Clerks.*

The following Persons have been objected to as having no Right to be retained on the List of the Freemen of the City [*or* Borough] of [*or* of being a Place sharing in the Election with the City [*or* Borough] of], entitled to vote in the Election of a Member *or* Members] for the said City [*or* Borough].

Christian Name and Surname of each Person objected to.	Place of his Abode.

(Signed) A. B.—Town Clerk of the said City [*or* Borough *or* Place].

SCHEDULE (K.)

A List of such of the Freemen of London as are Liverymen of the Company of ; entitled to vote in the Election of Members for the City of London.

Christian Name and Surname of the Voter at full Length.	Street, Lane, or other Description of his Place of Abode.

(Signed) A. B. Clerk.

No. 1.—*Notice of Claim to be given to the Returning Officer or Officers of the City of London, and to the Clerks of the respective Livery Companies.*

To the Returning Officer or Officers of the City of London [*or* to the Clerk of the Company of].

I hereby give you Notice, That I claim to have my Name inserted in the List made by the Clerk of the Company of [*or, in case of Notice to the Clerk, say,* made by you] of the Liverymen of the said Company [*or, in case of Notice to the Clerk, say,* of the Liverymen of the Company of] entitled to vote in the Election of Members for the City of London.
Dated the Day of

(Signed) A. B.—[*Place of Abode. Name of Company.*]

No. 2.—*List of Claimants, to be published by the Returning Officer or Officers of the City of London.*

The following Persons claim to have their Names inserted in the List of Persons entitled to vote as Freemen of the City of London and Liverymen of the several Companies herein specified, in the Election of Members for the City of London.

Christian Name and Surname of Claimants at full Length.	Place of Abode.

No. 3.—*Notice of Objection to Parties inserted in the List of the Livery.*

To Mr. William Baker.

I hereby give you Notice, That I object to your Name being retained in the List of Persons entitled to vote as Freemen of the City of London and Liverymen of the Company of in the Election of Members for the said City, and that I shall bring forward such Objection at the Time of revising the said List. Dated the Day of

(Signed) A. B. [*Place of Abode.*]

SCHEDULE (L.)

BOUNDARIES OF NEW BOROUGHS.

Boroughs.—	Temporary Contents and Boundary.
Ashton-under-Lyne.	The Division of the Parish of Ashton-under-Lyne, called the Town's Division.
Birmingham	Parishes of Birmingham and Edgbaston, and Townships of Bordesley, Deritend, and Duddeston with Nechels.
Blackburn	Township of Blackburn.
Bolton	Townships of Great Bolton, Haulgh, and Little Bolton, except the detached Part of the Township of Little Bolton which lies to the North of the Town of Bolton.
Bradford	Township of Bradford.
Brighthelmstone	Parishes of Brighthelmstone and Hove.
Bury	Township of Bury.
Chatham	From the Easternmost Point at which the Boundary of the City of Rochester meets the Right Bank of the River Medway, Southward along the Boundary of the City of Rochester, to the Boundary Stone of the said City marked 5; thence in a straight Line to the Windmill in the Parish of Chatham on the Top of Chatham Hill; thence in a straight Line to the Oil Windmill in the Parish of Gillingham, between the Village of Gillingham and the Fortifications; thence in a straight Line through Gillingham Fort to the Right Bank of the River Medway; thence along the Right Bank of the River Medway to the Point first described.
Cheltenham	Parish of Cheltenham.
Devonport	Parish of Stoke Damerill and Township of East Stonehouse.
Dudley	Parish of Dudley.
Finsbury	Parishes of Saint Giles in the Fields; Saint George Bloomsbury; Saint George the Martyr; Saint Andrew above Bars; Saint Luke; Saint Sepulchre, except so much as is in theCity of London; Saint James Clerkenwell, except so much as is locally in the Parish of Hornsey; Ecclesiastical Districts of Trinity, Saint Paul, and Saint Mary in the Parish of Saint Mary Islington; Liberties of Saffron Hill, Hatton Garden, and Ely Rents; Ely Place; the Rolls; Glass-house Yard; Precinct of the Charter House; Lincoln's Inn; Gray's Inn; so much of Furnival's Inn and Staple's Inn as is not within the City of London.
Frome	Town of Frome as within the Limits now assigned to the Town of Frome by the Trustees under the Provisions of an Act passed in the First and Second Year of His present Majesty, intituled "An Act for better repairing and improving several Roads leading to and from the Town "of Frome in the County of Somerset."
Gateshead	Parish of Gateshead.
Greenwich	Parishes of Saint Paul and Saint Nicholas, Deptford, and so much of the Parishes of Greenwich, Charlton, and Woolwich as lie between the Thames and the Dovor Road.
Halifax	Township of Halifax.
Huddersfield	Township of Huddersfield.
Kendal	Townships of Kendal and Kirkland, and all such Parts of the Township of Nevergaveship as adjoin the Township of Kendal.
Kidderminster	Borough of Kidderminster.
Lambeth	Parishes of Saint Mary Newington; Saint Giles Camberwell, except the Manor and Hamlet of Dulwich; Precinct of the Palace; and so much of the Parish of Lambeth as is North of the Ecclesiastical Division of Brixton.

Leeds	Borough of Leeds.
Macclesfield	Borough of Macclesfield.
Manchester	Townships of Manchester, Chorlton Row, Ardwick, Hulme, Beswick, Cheetham, Bradford, Newton, and Harpur Hey.
Marylebone	Parishes of Saint Marylebone and Paddington, and so much of the Parish of Saint Pancras as is South of the Regent's Canal.
Merthyr Tydvil	Parishes of Merthyr Tydvil and Aberdare.
Oldham	Township of Oldham.
Rochdale	Town of Rochdale, as within the Provisions of an Act passed in the Sixth Year of His late Majesty, intituled "An Act for lighting, cleansing, "watching, and regulating the Town of Rochdale in the County Palatine of Lancaster."
Salford	Townships of Salford, Pendleton, and Broughton.
Sheffield	Townships of Sheffield, Attercliffe-cum-Darnall, Brightside, Bierlow, and Nether Hallam.
South Shields	Townships of South Shields and Westoe.
Stockport	Borough of Stockport; Hamlets of Brinksway and Edgeley.
Stoke-upon-Trent	Townships of Tunstall, Burslem, Hanley, Shelton, Penkhull with Boothen, Lane End, Longton, Fenton Vivian, Fenton Culvert; Hamlet of Sneyd; and Vill of Rushton Grange.
Stroud	Parishes of Stroud, Bisley, Painswick, Pitchcomb, Randwick, Stone-house, Eastington, Leonard Stanley except Lorridge's Farm; King's Stanley, Rodborough, Minchinhampton, Woodchester, Avening, Horsley.
Sunderland	Parish of Sunderland; Townships of Bishop Wearmouth, Bishop Wearmouth Panns, Monk Wearmouth, Monk Wearmouth Shore, and Southwick.
Tower Hamlets	Liberties of the Tower, and Tower Division of Ossulston Hundred, except the Parishes of Saint John Hackney, Saint Mary Stratford-le-Bow, and Saint Leonard Bromley.
Tynemouth	Townships of Tynemouth, North Shields, Chirton, Preston, and Cullercoats.
Wakefield	Township of Wakefield.
Walsall	Borough of Walsall, except the Parts detached from the Borough of Walsall.
Warrington	Township of Warrington.
Whitehaven	Township of Whitehaven.
Whitby	Township of Whitby.
Wolverhampton	Townships of Wolverhampton, Bilston, Wednesfield, and Willenhall; and Parish of Sedgeley.

PROGRESS OF THE DEBATES
ON
THE REFORM BILLS.

The First Bill was introduced by Lord John Russell March 1st, 1831; but as the discussion on it was abruptly terminated by the Dissolution of Parliament, in consequence of the Motion of General Gascoyne being carried against the Ministers—and its variation in substance from the Second not being material, it has not been given—the references are, therefore, to the Second *and* Third *Bills.*

The Second Bill was brought forward on June 24th, 1831, and rejected by the Peers on October 7th.—The Third Bill was brought forward on December 12th, passed June 4th, and received the Royal Assent June 7th.

I. DURING THE SESSION 1831.

Commons.

Motion for Leave to bring in the Bill	vol. iv.	p. 322, &c.

A Copy of the Bill is printed at the commencement of the Volume.

Second Reading	——	654, &c.
Committee	——	1105, &c.
	vol. v.	35, &c.
	vol. vi.	1223, &c.
Report	——	1388, &c.
	vol. vii.	58, &c.
Third Reading	——	140, &c.

Lords.

First Reading	vol. vii.	479, &c.
Second	——	942, &c.
	vol. viii.	188, &c.

The Bill was then rejected.

II. DURING THE SESSION 1831-2.

Commons.

Leave to bring in the Bill	vol. ix.	156, &c.

A Copy of the Bill, in this stage of progress, is printed in the Appendix to vol. ix.

Second Reading	——	343, &c.
Committee	——	651, &c.
	vol. x.	45, &c.
	vol. xi.	84, &c.
Report	——	207, &c.
Third Reading	——	414, &c.
Lords' Amendments	vol. xiii.	407, &c.

Lords.

First Reading	vol. xi.	358, &c.
Second Reading	vol. xii.	1, &c.
Committee	——	676, &c.
Report	vol. xiii.	286, &c.
Third Reading	——	349, &c.

The Bill then received the Royal Assent and became Law. A Copy of the Act, with the Appendixes, &c. complete, immediately precedes this Notice.

AN INDEX

TO ALL THE

DEBATES and EXPLANATIONS which took place on the respective Clauses of the REFORM BILLS in their progress through both HOUSES OF PARLIAMENT.

The Clauses as enumerated in the two Bills, on which the Debates took place, and as enumerated in the Act, not generally corresponding, and the References in the first inner column being only relative to that Bill which was thrown out by the Lords, October 7th, the References are rather to the several subjects of the Clauses of the Act here printed, than to the Clauses of the Bills. The References, therefore, to the two Bills, and to the Act, although not agreeing in every instance, will be found to do so in effect as nearly as the variations between the Bills and the Act will allow.

RELATIVE TO THE DISFRANCHISEMENT AND ENFRANCHISEMENT OF BOROUGHS.

CLAUSE I. Certain Boroughs to cease to send Members to Parliament.
Second Bill, vol. iv. 1105, 1196, 1261, 1326.—v. 35, 92, 174, 204, 327
Third Bill, vol. ix. 658, 679.—x. 545, 592

II. Certain Boroughs to return one Member only.
Second Bill, v. 405, 467, 529, 566, 591.—vii. 28, 58
Third Bill, ix. 720.—x. 626, 694, 1098

III. New Boroughs hereafter to return two Members.
Second Bill, v. 627, 663, 746
Third Bill, ix. 747.—x. 900, 1069.—xi. 852.—xii. 1108, 1220

IV. New Boroughs hereafter to return One Member.
Second Bill, v. 774, 830, 893, 1047.—vii. 58, 66
Third Bill, ix. 752.—x. 1117, 1263.—xi. 43.—xii. 1273, 1375

		Second Bill. Vol. Page.	*Third Bill.* Vol. Page.
V.	The Boroughs of Shoreham, Cricklade, Aylesbury, and East Retford, shall include certain adjacent districts.		ix. 752
VI.	Weymouth and Melcombe Regis to return Two Members only, &c.	v. 913	ix. 753
	ON BOUNDARIES.		
VII.	Boundaries of existing Boroughs in England to be settled.	vi. 982, 1033, 1398	ix. 756, 811
VIII.	Places in Wales to have a Share in Elections for the Shire Towns.	vi. 1388	ix. 812
IX.	Boundaries of Shire Towns and Places in Wales to be settled.		xii. 1392
X.	Swansea, Loughor, Neath, Aberavon, and Ken-fig, to form One Borough, and Electors thereof not to vote for a Member for Cardiff.	v. 1047, 1131 vi. 1223	

		Second Bill.	*Third Bill.*
	RETURNING OFFICERS.		
XI.	Description of the Returning Officers for the New Boroughs; who are disqualified, and who are exempt.	v. 1151 vi. 312	ix. 812
	COUNTY REPRESENTATION.		
XII.	Six Knights of the Shire for Yorkshire: two for each Riding.	v. 1156	ix. 821 xii. 1392
XIII.	Four Knights of the Shire for Lincolnshire; Two for the Parts of Lindsey, Two for Kesteven and Holland.	v. 1162, 1311 vii. 28	ix. 822 xi. 849
XIV.	Certain Counties to be divided, and to return Two Knights of the Shire for each Division.	v. 1311 vi. 982, 1033	ix. 981 xi. 73
XV.	Certain Counties to return Three Knights of the Shire.	v. 1322, 1342	ix. 1007 xi. 80
XVI.	Isle of Wight, severed from Hampshire, to return a Member.	vi. 143	x. 1101
XVII.	Towns which are Counties of themselves to be included in adjoining Counties for County Elections.	vi. 163	ix. 1103, 1204
XVIII.	Limitation on the Right of voting for Counties and for Cities being Counties of themselves, in respect of Freeholds for Life.	vi. 196	ix. 1103
XIX.	Right of voting in Counties extended to Copyholders.	vi. 207	ix. 1107
XX.	Right of voting in Counties extended to Leaseholders and Occupiers of Premises of certain value above Charges.	vi. 269, 297	ix. 1108
XXI.	What not to be deemed Charges.	vi. 312	ix. 1126
XXII.	County Voters need not be assessed to the Land-Tax.	vi. 358	ix. 1126
XXIII.	Provision as to Trustees and Mortgagees.	vi. 312	ix. 1126
XXIV.	No Person to vote for a County in respect of any Freehold House, &c. occupied by himself, which would confer a Vote for a City or Borough.	vi. 337	ix. 1127
XXV.	No Person to vote for a County in respect of certain Copyholds and Leaseholds in a Borough.	vi. 337	ix. 1208
XXVI.	Possession for a certain Time, and Registration, essential to the Right of voting for a County; Exception in case of Property coming by descent, &c.	vi. 358	ix. 1208
	CITY AND BOROUGH REPRESENTATION.		
XXVII.	Right of voting in Boroughs to be enjoyed by Resident Occupiers of Houses, &c. of the annual Value of 10*l.*; but no Occupier to vote unless rated to the Poor-Rate; nor unless the Rate and the Assessed Taxes are paid.	vi. 547, 598, 669, 1388, 1395	ix. 1209, 1234 xi. 852
XXVIII.	Provision as to Premises occupied in succession.	vi. 669	x. 45
XXIX.	As to joint Occupiers.	vi. 670	x. 49
XXX.	Occupiers may demand to be rated.	vi. 670	x. 51
XXXI.	Provision as to Freeholders voting for Cities and Towns being Counties of themselves; To extend to Freeholds within the new Boundaries.		x. 52
XXXII.	Freemen not to vote in Boroughs, unless resident, &c.; Exclusion of Freemen created since the 1st of March, 1831; Provision as to the Freemen of Swansea, Loughor, Neath, Aberavon, and Ken-fig.	vi. 722, 880, 911	x. 76 xi. 223
XXXIII.	Reservation of other Rights of voting in Boroughs.	vi. 880, 910	x. 77

		Second Bill.	*Third Bill.*
XXXIV.	Provision as to Persons now entitled to vote for New Shoreham, Cricklade, Aylesbury, or East Retford, in respect of Freeholds.	vi. 1035	x. 79
XXXV.	Exclusion of certain Rights of voting in Boroughs acquired since the 1st of March, 1831.		x. 79
XXXVI.	As to Receipt of Parochial Relief.		x. 79
	OVERSEERS, CLERKS OF THE PEACE, BARRISTERS, &c., DUTIES OF, AS TO GIVING NOTICES AND PREPARING AND REVISING LISTS.	See discussion on the 27th or £.10 clause.	
XXXVII.	Overseers to give notice annually, requiring County Voters to send in their Claims; Persons once on the Register not required to make any subsequent Claim.	vi.1047,1415	x. 82
XXXVIII.	Overseers to prepare Lists of County Voters, and to publish them every Year; To have power of objecting to any Name inserted in the Lists; and to keep Copies of Lists for Inspection; Provision as to Places having no Overseers.	vi. 1066	x. 96
XXXIX.	Notice of Objection by Third Parties to Persons not entitled to be retained in the County Lists; Lists of Persons objected to by Third Parties to be published, &c.		x. 217
XL.	Lists of County Voters to be forwarded to the Clerks of the Peace.		x. 217
XLI.	Judges of Assize to name Barristers, who shall revise the Lists of County Voters; Period for revision.	vi. 1069	x. 217
XLII.	Clerk of the Peace and Overseers to attend before the Barristers, who shall retain on the County Lists all Names not objected to, and shall expunge those whose Qualification, if objected to, shall not be proved; Power to rectify Mistakes and supply Omissions in the Lists.	vi. 1094	x. 221
XLIII.	Barrister to have Power to insert in the County Lists the Names of Claimants omitted by the Overseers on Proof of Claim and Qualification.		x. 221
XLIV.	Overseers to prepare Lists of Persons (other than Freemen) entitled to vote in Boroughs, and to publish them; Copies of Lists to be kept for inspection.	vi. 1156	x. 221
XLV.	Provision for Places within Boroughs having no Overseers.		x. 221
XLVI.	Town Clerks to prepare and publish the Lists of Freemen.		x. 221
XLVII.	Persons omitted in the Borough Lists to give Notice of their Claims; Notices as to Persons not entitled to be retained in the Lists; Lists of Claimants, and of Persons objected to, to be published, &c.		x. 221
XLVIII.	List of Liverymen of London to be transmitted to the Returning Officer; Notices to be given of Omissions and Objections in List of Liverymen; Poll of Liverymen to be taken at Guildhall.		x. 222
XLIX.	Judges of Assize to name Barristers, who shall revise the Lists of Borough Voters; Proviso as to such Barristers.	vi. 1069	x. 223
L.	Barrister to revise Lists of Borough Voters, and upon due Proof to insert and expunge Names; Power to rectify Mistakes and supply Omissions in the Lists.		x. 223
LI.	Power of inspecting Tax Assessments and Rate-Books.		x. 223

		Second Bill.	*Third Bill.*
LII.	Barrister, on revising the Lists, to have power of adjourning, and of administering Oaths, &c.; To settle and sign the Lists in open Court.		
LIII.	Judges to appoint additional Barristers in case of need.		x. 224
LIV.	County Lists to be transmitted to Clerk of the Peace; Borough Lists to be kept by Returning Officer, and handed to his Successor; Lists to be copied into Books, with the Names numbered, and such Books to be the Register of Electors.		x. 224
LV.	Copies of the Lists and of the Registers to be printed for Sale.	vi. 1161	x. 226
LVI.	Expences of Overseers, Clerks of the Peace, &c., how to be defrayed.		x. 226, 541
LVII.	Remuneration of the Barristers for revising the Lists.	vi. 1147, 1205, 1223	x. 229 xi. 84
	ELECTION PROCEEDINGS.		
LVIII.	No Inquiry at the Time of Election, except as to the Identity of the Voter, the Continuance of his Qualification, and whether he has voted before at same Election; Form of Question as to these Points; Oath to be administered if required; Form of Oath; No other Oath as to Qualification; No Scrutiny by Returning Officer.		x. 233
LIX.	Persons excluded from the Register by the Barrister may tender their Votes at Elections; Tender to be recorded.		x. 239
LX.	Correctness of the Register to be questionable before a Committee of the House of Commons.		x. 239
LXI.	Sheriffs of the divided Counties to fix the Time and preside at Elections.	vi. 1162	x. 241
LXII.	Commencement and Continuance of Polls at County Elections.		x. 241
LXIII.	Counties to be divided into Districts for polling.	vi. 1414	x. 248
LXIV.	As to Booths at the Polling Places for Counties; No Voter to poll out of the District where his Property lies.	vi. 1163	x. 394
LXV.	Provision as to Sheriff's Deputies, the Custody of Poll Books, and final Declaration of the Poll for Counties.	vi. 1163	x. 394
LXVI.	Sheriff in County Elections may act in places of exclusive jurisdiction.		x. 394
LXVII.	Commencement and Continuance of Polls at Borough Elections in England.	vi. 1163	x. 394
LXVIII.	Polling for Boroughs in England to be at several Booths, not more than 600 voting at One Compartment in a Booth; Each Person to vote at the Booth appointed for his Parish or District; If the Booths are in different Places, a Deputy to preside at each Place; As to Custody of Poll Books and final Declaration of Poll for Boroughs.	vi. 1163, 1206, 1207, 1209	x. 396
LXIX	Polling Districts to be appointed for Shoreham, Cricklade, Aylesbury, and East Retford.		x. 397
LXX.	When Returning Officers may close the Poll before the expiration of the Time fixed; Adjournment of Poll in case of Riot.		x. 397, 544

		Second Bill.	*Third Bill.*
LXXI.	Candidates, or Persons proposing a Candidate without his Consent, to be at the Expense of Booths and Poll Clerks; Limitation of Expense; Houses may be hired for polling in, instead of Booths.		x. 399, 425
LXXII.	Certified Copies of the Register of Voters for each Booth.		x. 425
LXXIII.	Powers of Deputies of Returning Officers.		x. 425
LXXIV.	Regulations respecting polling, &c. for the Borough of Monmouth, and for the contributory Boroughs in Wales; As to appointment of Deputies in Wales.		x. 425
LXXV.	All Election Laws to remain in force, except where superseded by this Act.		x. 425

VARIOUS.

LXXVI.	Penalties on Officers for breach of Duty.		x. 427
LXXVII.	Writs, &c. to be made conformable to this Act.		x. 431
LXXVIII.	This Act not to extend to Universities of Oxford and Cambridge.		x. 437
LXXIX.	Of the sense in which Words in this Act are to be understood—City or Borough; Returning Officer; Parish or Township; Overseers of the Poor; Justices of Peace for Counties, &c.; Misnomers not to vitiate.		x. 437
LXXX.	In case the proposed Boundary Act shall not pass before the 20th of June, 1832, the Preparations for First Registration to be deferred; but if the Boundary Act pass after that Day, the Periods preparatory to and connected with the First Registration to be settled by an Order in Council.	vi. 982 vii. 142	xi. 84
LXXXI.	In case of a Dissolution of Parliament after the passing of the proposed Boundary Act, and before Registration, the Rights of voting shall take effect without Registration.		
LXXXII.	In case of a Dissolution of Parliament before the passing of the proposed Boundary Act—Counties not to be divided; Boundaries of New Boroughs defined; Boundaries of Old Boroughs to remain; And Rights of voting to take effect without Registration.		

SCHEDULES.

Schedule (A.) Boroughs to cease to send Members to Parliament.
Second Bill, See Debates referred to on Clause 1.
Third Bill, x. 545, 592.—xi. 223, 234.—xii. 676.

(B.) Boroughs to return One Member.
Second Bill, See Debates referred to on Clause 2.
Third Bill, x. 626, 694, 1098.—xi. 227.

(C.) New Boroughs to return Two Members.
Second Bill, See Debates referred to on Clause 3.
Third Bill, x. 909, 1069.—xi. 852.—xii. 1108.

(D.) New Boroughs to return One Member.
Second Bill, See Debates referred to on Clause 4.
Third Bill, x. 1117, 1263.—xi. 43, 228.—xii. 1273, 1375.

(E.) and (E 2.) Places in Wales to have a Share in Elections for the Shire Towns.
Second Bill, See Debates referred to on Clause 8.
Third Bill, xi. 72.

(F.) Counties to be divided, and to return Two Knights for each Division.
Second Bill, See Debates referred to on Clause 14
Third Bill, xi. 73.

(F 2.) Counties to return Three Knights.
Second Bill, See Debates referred to on Clause 15.
Third Bill, xi. 80.

(G.) Towns which are Counties in themselves to be included in adjoining Counties for County Elections.
Second Bill, See Debates referred to on Clause 17.
Third Bill, xi. 82.

(H.) Forms of Lists and Notices applicable to Counties.
Third Bill, See Debates referred to on Clause 38, xi. 82.

(I.) Forms of Lists and Notices applicable to Cities and Boroughs.
Third Bill, See Debates referred to on Clause 44, xi. 82.

(K.) Forms of Lists and Notices applicable to the City of London.
Third Bill, See Debates referred to on Clause 48, xi. 82.

(L.) Boundaries of New Boroughs.
Third Bill, xi. 84.

GENERAL INDEXES

TO

VOLUMES IX, X, XI, XII, AND XIII *(THIRD SERIES)* SESSION 1831-2,

(Fifth Volume of the Session)

OF

HANSARD'S PARLIAMENTARY DEBATES.

(A.)—SUBJECTS OF DEBATES.

Nº I. HOUSE OF LORDS.—Nº II. HOUSE OF COMMONS.

Nº I. DEBATES—LORDS.

ADDRESSES in answer to the King's Speech vol. ix. 1. Answers to, 127.
.... On the policy pursued towards Belgium, ix. 834.—On the attack at Ascot Heath, xiii. 900. Answer, 992
Agitation, causes of, in Ireland, x. 731
Agricultural Labourers (Bill), x. 1156.—xi. 126
Amersham, xiii. 178
Anatomical science, petitions concerning, ix. 132, 1148.—x. 1
Anatomy, Schools of (Bill), xiii. 822. Petitions concerning, 1085
Arbitration Bill, ix. 972, 1226
Arundel, Borough of, xii. 106

Belgic Negotiations, ix. 131, 228, 586, 834.—x. 11.—xi. 124, 302
Boundaries Bill, xiii. 1290

Canton, British Factory at, ix. 207
Chancellor, Lord, of Ireland, x. 1040.—xi. 94
Cholera Morbus, Motion for papers, x. 248. Measures of precaution, 406, 442
Church Property (Petitions), xiii. 608
Collieries, Disturbances in the, xiii. 1152
Counties, Division of (Bill), xiii. 1290

Death, Sentence of (Bill), xi. 1274.—xiii. 543. Punishment of (Bill), 982
Dublin Coal Trade (Bill), xi. 478, 582
Durham, University of, xii. 1209

Education (Ireland) Ministerial plan, x. 851.—xi. 89, 241, 1076. Resolution condemning it, 583.—Petitions, xii. 323, 496.—xiii. 1, 278, 342, 1182, 1271
Eldon, Earl of, x. 1268
Elections, Bribery at (Bill), xiii. 402
Ellenborough, Lord, plan of Reform, xii. 1098
Emigration, ix. 1146
Exchequer Court (Scotland), xiii. 403, 545, 762
Explanations, xi. 1.—In relation to the change of Ministry, xii. 758, 905, 982, 993, 1043

Factories, Labour of Children in, Petitions, x. 985.—xi. 109
Fees on renewing Commissions, ix. 768.—x. 249
Finance Accounts—year to Jan. 1832, xiii. *Appendix.*
Foreign Enlistment Act, ix. 316.—Relations, xiii. 1268
French Expedition to Italy, x. 725.—xi. 112

Gateshead, xii. 1375
Glove Trade, Petitions, x. 14, 682.—xi. 2. Motion to support a Committee, 2
Graham, Captain, xii. 499
Gravesend Pier (Bill), xiii. 399, 1268

Holland and Belgium, ix. 228, 586.—x. 11
Hundred Remedies (Bill), xi. 297

India, Affairs of, ix. 127.—Laws relating to Property, 585
Ireland, State of, Motion, xiii. 944, 1189

Jamaica, x. 724

Juries (Ireland) Bill, xi. 1248

King, the attack on, at Ascott, xiii. 900, 992

Lancashire, proposal to give it Six Members, xii. 1375

Language, intemperate, used by the people, xiii. 795

Law Process, x. 986. Improvements in the administration of, 1158

Magistracy, Irish, ix. 768.—x. 249

Ministerial arrangements, xii. 993, 1043

Ministers, resignation of, xii. 758. Re-appointment of, 982

Ministry, a new one, xii. 905

Munster, the Earl of, explanation of his conduct, xiii. 180

National Schools (London), x. 579

Navy Civil Departments, xii. 1369

Newcastle meeting, xiii. 98

Newtownbarry, affray at, xii. 499

Norfolk Assizes, xiii. 610

Nottinghamshire, Magistrates of, xiii. 897

Nozeed, Zemindar of, xi. 117, 300, 480

Parliamentary Reform, Petitions, ix. 207, 829.—x. 680.—xi. 1092, 1245.—xii. 211, 669, 760, 868. Bill for England, first reading, xi. 858.—Second Reading, 858, 1090.—xii. 1, 122, 213, 327. Committee, 676, 762, 1098, 1220, 1375.—xiii. 19, 111, 181. Report, 286. Third Reading, 349. Bill for Scotland, first reading, 1085

Pedro, Don, ix. 316

Peers, creation of, xii. 1096, 1218

Perth, Language held at, ix. 829

Pluralities Bill, x. 1107.—xi. 301, 315, 787, 931, 1166

Police, Municipal, ix. 973

Political Unions, ix. 133, 834.—xiii. 728

Ponsonby, Lord, Conduct of, x. 1104

Poor Laws, ix. 130, 1144.—x. 723

Portugal, Expedition against, ix. 316

Postmaster General, salary of, xiii. 1241

Post Office Packets, x. 1157

Privy Seal, Lord, Salary of, xiii. 1241

Prosecutions (Ireland), xi. 125

Reciprocity Treaties, ix. 974, 1226

Russian-Dutch Loan, ix. 1152.—Convention concerning, xiii. 1084

Saint Mawes, influence of Peers in its election, xiii. 284

Seats in Parliament, vacation of (Bill), xiii. 291, 611, 1086

Slave Trade, ix. 587.—Convention concerning, 772

Slavery, Petitions, xiii. 6, 285, 1180

Solicitor General (Scotland), xiii. 1271

Stockton-on-Tees, xii. 1094

Tithes (England), Petitions, xi. 786. (Ireland) Petitions, ix. 131, 822.—x. 2, 674, 844.—xii. 1366.—xiii. 278, 762.—Committee to inquire into, ix. 229, 973.—x. 408, 445, 731, 1269.—xi. 125.—xiii. 348, 1080.—Arrears of (Bill), xii. 631, 745, 1363

Tonnage duties in France, xi. 479

Tower Hamlets, xii. 1220

West India Interest (Committee), xii. 596.—xiii. 6

Westmeath, Magistrates of, xi. 1293

Yeomanry, duty of to obey the Magistrates, xiii. 279

N° II. DEBATES—COMMONS.

Address in answer to the King's Speech, ix. 37. Answer thereto, 134. Report thereupon, 105.—For the King not to call to his Councils other than Reform Ministers, xii. 783. Answer to, 1144.—On the attack at Ascott Heath, xiii. 909, 1052

Agricultural Implements, no remedy for the destruction of, x. 465

Alien Act, x. 764, 965

Anatomy, Schools of, Bill to regulate, ix. 300, 578, 702, 825.—x. 832.—xii. 309, 664, 894—Petitions, ix. 780, 1185, 1276.—x. 377

Appleby, Case of, ix. 648.—x. 592

Arms, learning the use of, xi. 1094

Army Estimates, x. 480.—xi. 1018, 1281.—Extraordinaries, x. 503.—Flogging in, xiii. 874

Arundel, case of, xiii. 381

Assessed Taxes, intention of Ministers concerning, ix. 645.—x. 721

Bank Charter, ix. 37.—Appointment of the Committee to inquire into it, xii. 1356

Banking system, xiii. 380

Barristers, Payment of, x. 229. Responsibility of, 425.—xi. 84

Beer, Sale of, Act, ix. 1233.—xii. 733.—xiii. 259

Belgium, ix. 1268, 1282.—xiii. 307
Belmore, Earl of, xi. 329
Benefit Societies, x. 1063
Bird-cage Walk barracks, xiii. 1247
Births, Registration of, x. 686.—xiii. 938
Boroughs, officers of, xiii. 508
Botany Bay [*see* New South Wales.]
Boundaries Bill, read a first time, x. 417.—Committee, xiii. 512, 555. Third reading, 961. Petitions concerning, 381
Bowring, Dr., x. 472
Boyd, Mr., x. 635
Brazilian Claims, ix. 1274.—x. 895.—xii. 551
Bricks, duty on, ix. 649
Bristol, Riots at, discussed in the Motion on Address, ix. 37
British Museum, x. 975
Broadhurst, Mr., and others, xi. 944
Buckingham Palace, ix. 144, 574, 646.—x. 969.—xi. 955
Budget, questions concerning, xiii. 1239
Building, Public, Bill to consolidate offices of, ix. 147
Burkers, ix. 154
Business, arrangement of, ix. 126, 150.—x. 383, 1063.—xii. 84

Call of the House, xiii. 1159
Capital Punishments, Bill for abolishing, xi. 948.—xiii. 195
Catholic Marriages, xi. 1245.—xii. 1209
Chancellor, The Lord, (Ireland) x. 1206
Chancery, Costs in, ix. 251.—Contempt of the Court of, 649.—Reform in, xiii. 466
Chancery, Court of (Ireland), xiii. 468
Chelmsford, Representation of, x. 689
Children, Labour of, in Factories, Bill to regulate, ix. 255.—Petition, 1092 [*see* Factories]
Chinese, disputes with the, xi. 413
Cholera Morbus, motion for Papers, ix. 308.—xi. 295, 1017.—Precautions etc., x. 265, 324, 337, 384, 402, 437.—xi. 88. Case of, 470. Questions, 532, 689. (Scotland), 1115
Christmas, Adjournment for, ix. 330
Civil Government, charges of, xiii. 384
Civil List, x. 509
Coast Guard, xi. 330
Coleraine, Borough of, ix. 705
Colonial Appointments, x. 32.—Policy, xiii. 387
Combinations, illegal (Ireland), xi. 242
Commercial Treaties, ix. 227.—Policy, xii 1277
Commissions, Special, ix. 1049
Commons, House of, Improvement in, x. 333
Communication with Ireland, xi. 1277
Conferences, xiii. 909
Cork, Corporation of, xii. 1401
Corn Laws, xiii. 300
Cornwall, Duchy of, xiii. 554
Coroners (Bill) x. 416.—xii. 744.—xiii. 909, 921
Corporation Reform (Ireland) ix. 1332
Counties, division of, x. 417.—xiii. 512, 555, 961
Counting out the House, xiii. 949
Courts Martial, x. 421
Crown Lands (Colonies), xiii. 509
Curtin, Mr., Case of, xii. 545
Custom House Officers (Ireland) x. 24
Customs' Duties Acts (Bill), xiii. 754
Czapski, Count, x. 764, 965

Dartmouth, x. 693
Deccan Prize Money, ix. 155
Distress, Public, ix. 154
Dorsetshire Election, ix. 560.—xii. 1035
Dower (Bill), xiii. 561
Drainage, General, ix. 1184
Drama, state of, Committee to inquire into, xiii. 239
Dropped Orders, xi. 128.—xii. 84
Drummond, Lieutenant, calculations, x. 536
Dublin—Turnpike Roads, x. 382.—St. George's Church, 415.—Corporation of, xiii. 294
Durham Gaol, xii. 303.—University (Bill), xiii. 1053

East-India Affairs, Committee, ix. 1020
East Indies, Princes of, xiii. 715
Edinburgh, meeting at, xiii. 297.—Police Bill for, 380
Education (Ireland) Ministerial System of, ix. 893.—Petitions on, x. 259, 1057, 1111, 1162.—xi. 320, 402, 1013, 1181.—xii. 80, 464, 537, 633, 735, 1135.—xiii. 228, 404, 548, 829
Elections, bribery at (Bill), xiii. 714
Emigration, xi. 205
Estimates, why not laid on the Table, ix. 1097. Navy, x. 278. Army, 480. Civil Contingencies, 297
Evening Mail, Newspaper, xiii. 117, 193, 230, 310
Exchequer, Court of, Scotland, Bill to regulate it, ix. 297, 1194.—xii. 201.—xiii. 210
Exports, returns, ix. 779

Factories, Labour of Children in,—Petitions, ix. 1092.—x. 20, 106, 190, 529, 894, 1222.—xi. 204.—xiii. 500, 1054.—Bill to regulate, ix. 255.—xi. 340
Fast, motion for a General, ix. 895
Fees, on renewing Commissions (Ireland), ix. 557.—x. 28, 33

Financial year, Date of, x. 272.—xi. 329

Fines and Recoveries, ix. 138, 701.—xiii. 560

Flogging in the Army, xi. 1188.—xiii. 874

Foreign Affairs, x. 635.—xi. 871

Forgery, petition, xiii. 950

France, Commercial Treaty with, ix. 139.—xii. 464.—Convention (Slave Trade) with, ix. 810, 1351.—Treatment of British Subjects in, 1192

Freemen and their Daughters, Rights of, x. 45

French Expedition to Italy, x. 635, 1225.—xi. 129

Friendly Societies, ix. 156.—xi. 33, 293

Glass Duties, xi. 1280

Glove Trade, Petitions, ix. 253, 589.—Motion for a Committee, 1051.—xi. 1253

Government Officers, xii. 990

Gravesend Pier, xii. 193

Greece, Sovereign of, x. 635.—Loan for, xiii. 388

Greenwich Hospital, x. 1311

Helston, x. 693, 1065

Hemp and Flax Duties, x. 468, 1306.—xi. 1178

Heriot's Charity (Scotland), xi. 1184

Hertford Address to the King, x. 199

Hill, Sir George, x. 527

Holland and Belgium, ix. 1268, 1282

Hutchinson, Mr., claims, xii. 195

Hypothec, Landlord's right of (Scotland) x. 188

Inns of Court, xiii. 648

Intestates, Property of, ix. 1028

Ireland, state of, xi. 490, 1157.—xiii. 262

Ireland [*see* Juries, Kilkenny Education, Magistracy, Tithes, Dublin, Subletting Act, Custom House Officers, Master of the Rolls, Seceding Ministers, Combination, Westmeath, Registrar]

Jamaica, Insurrection at, x. 535.—xi. 329

Journals of the House, motion to produce them in a Court of Justice, xiii. 1001

Juries, Grand (Ireland), ix. 135.—x. 632, 1114.—India), xiii. 819

Kilkenny, Affray in, ix. 141

King, the, attack on at Ascott Heath.—xiii. 909, 1052

King's County (Ireland), place for holding the Assizes, xii. 1414.—xiii. 209

Knowledge, Taxes on, Petitions for the repeal of, ix. 102.—xi. 32.—Motion respecting the repeal of, xiii. 619

Lancaster Castle, Gaoler of, xi. 1278

Land-Revenue Department, compensation to officers of, ix. 152.—Bill, 574, 646

Leaf and Co., Case of, x. 585

Libels, Law concerning, xii. 1144

Lincolnshire, Division of, ix. 810.—Militia, x. 1324

Liverpool Disfranchisement (Bill), xii. 1414

Loan, public, to the West Indies, xiii. 1172

London Bridge, x. 256

London, Improvements in the City of, xi. 242

Londonderry, Corporation of, xiii. 294

Lovatt, Case of, x. 379

Lynedoch, Lord, xii. 1403

Madeira, xii. 464

Madrass, Governor of, xiii. 118

Magistracy, Ireland, Fees on renewal of Commissions, ix. 793

Magistrates, conduct of, xiii. 737, 1087

Mails between England and Ireland, x. 684

Malt Drawbacks, x. 510, 977.—xi. 1095, 1165, 1185

Manchester Meeting (1832) x. 195.—xi. 944. Affray at, (1819) x. 196.—xi. 251

Marshall, Mr., x. 472

Maynooth College, xii. 306

Mayo, Magistracy of, xi. 1269

Meilleraye, La, expulsion from, ix. 1192

Merthyr Tydvil, xi. 206

Metropolitan Districts, x. 908

Midhurst, x. 693

Military Establishment, ix. 143.—Punishment, x. 421

Militia, x. 379

Ministers, Resignation of, xii. 770, 783, 876, 905, 984. Resumption of Office, 1035, 1071

Ministry, formation of a new one, xii. 905

Municipal Police, x. 1233.—xiii. 386

Mutiny Bill, xi. 1188

National Gallery, xii. 466

Naval Establishment, ix. 143.—Navy Estimates, x. 278, 970.—xi. 330, 924.—xiii. 1178.—Civil Departments' (Bill), x. 349, 765

Navigation Laws, xii. 1277

Newfoundland (Bill), xiii. 506

New South Wales, x. 669.—Motion for an Address concerning, xiii. 1089

Newspapers, Tax on, ix. 221

New York, x. 969

New Zealand, xiii. 507

Norfolk Assizes, place for holding, xi. 267.—(Bill), xii. 1411.—xiii. 398

Nottingham, Riots at, ix. 1049

Nottinghamshire, Magistrates of, xiii. 953

INDEX.

Orders in Council, xiii. 387

Ordnance Estimates, x. 669.—xiii. 1247

Palaces, xii. 466

Papers, stained, Duty on, x. 101

Parliamentary Reform, ix. 328, 708. Petitions concerning, 97, 214, 216.—xii. 781, 876, 1032, 1274, 1403.—xiii. 293, 297.—Questions concerning, ix. 36, 257, 1197. Explanations, 214, 1090. Returns, 564. Bill for England, first stage, 156. Second reading, 343, 429. Committee, 651, 720, 810, 980, 1100, 1203, 1234.—x. 45, 75, 217, 232, 393, 425, 536, 592, 693, 908, 1069, 1117, 1263.—xi. 43, 84. Report, 84, 207. Third reading, 414, 493, 650. Final stage, 849.—Returned from the Lords, xiii. 397, 407. Copy of the Bill and Schedules, *Appendix*.—Progress of, ix. 1197. Bill for Ireland, first stage, 595. — Second reading, xiii. 119. Committee, 562, 769, 1010, 1167, 1257.—Petitions, xii. 1398.—xiii. 463, 562, 763, 1054.—Bill for Scotland, first stage, ix. 632. —Second reading, xii. 1174.—Committee, xiii. 321, 390, 462, 476, 741. Report, 982. Third reading, 1057.—Petitions, ix. 1232

Party Processions (Ireland), Bill, xiii. 717, 830, 1023, 1162

Peers, creation of, xii. 1274

Penitentiary, xii. 466

Pensions (Soldiers'), Commutation of, xi. 1188, 1281

Perceval, Mr., Breach of Privilege in his case, ix. 1030

Petersfield, x. 592

Petitions, Presentation of, x. 383.—Committee to inquire into, xii. 781

Plunkett, Lord, x. 1206

Pluralities, xii. 754

Poland, xii. 636.—xiii. 1115

Police Magistrates, xiii. 737, 1087.—Municipal, ix. 143, 1097.—x. 1233.—xiii. 386.

Polling places, x. 393

Political Unions, Petitions from, ix. 594, 1278

Poor, Allotment of Land Bill, xi 286

Poor Laws, Intention to amend, ix. 1097, 1233. —x. 27

Poor Laws (Ireland), Petition, ix. 709.—Motion concerning, xiii. 831

Population Returns (Ireland) ix. 594

Portugal, Relations with, x. 108, 970.—xiii. 307

Postage of Letters (Ireland) ix. 1224

Post Office, ix. 221.—Post Office regulations, x. 684, 1232.—xi. 806, 1277.—xii. 304

Presbyterian Ministers (Ireland) x. 23

Press, conduct of the, xii. 144

Prison discipline, xiii. 953

Privilege, Breach of, ix. 1030.—x. 527.—xii. 542, 741.—xiii. 117, 193, 230, 310, 905, 951.—Questions of, ix. 1275.—From Arrest (Bill), x. 327.—xiii. 227, 468, 1069

Privileges in relation to Courts of Justice, xiii. 1001

Professors of Oxford and Cambridge, xii. 466

Proxy, Voting by, xi. 1156

Queen's County (Ireland), state of, xi. 1157.—xii. 1416.—Committee to inquire, xiii. 262

Reform, *see* Parliamentary.

Registrar of Deeds (Ireland) xi. 1272.—xii. 96

Registration, General, of Deeds, Bill for, ix. 125, 563.—x. 663, 1205.—Petitions concerning, 586, 976, 1186, 1227.—x. 53

Reports of proceedings in Parliament, xiii. 960

Requests, Courts of, xii. 752

Revenue Laws, Breach of, ix. 297.—Deficiency in, 1285

Rolls, Master of, (Ireland) x. 637

Roman Catholic Marriages, xii. 1209

Russell, Gaoler of Huntingdon, xi. 492

Russian-Dutch Loan, questions concerning, ix. 333, 1284.—xiii. 388, 1238.—Motion for papers, ix. 429. Motion to censure Ministers, 903

Saint Saviour's Church, x. 527

Sartorius, Captain, x. 477.—xi. 412

Satirist, the, complaint against, xii. 1144

Schedule A, x. 536

Scott, (a boy), the case of, xiii. 1087

Seamen's contribution to Greenwich, x. 1311

Seceding Ministers, x. 1112

Sentences, Revision of, power exercised by the Privy Council, xiii. 497

Session, Court of (Scotland), Bill to prevent obstruction of business, ix. 808

Sheriff's power of appointing returning officers, ix. 810.—High office of, x. 325

Silk Trade, state of, ix. 647.—x. 580, 585.—xi. 296.—Appointment of Committee, x. 992.—xi. 285

Slavery, Petitions against, xi. 1276.—xiii. 34

Slave labour, produce of, xiii. 1242

Slave Trade, Convention with France, ix. 810. — Appointment of Committee to inquire into, xiii. 34

Smuggling of Silk, ix. 139, 297

Soap Duty, x. 898.—xii. 1402

South Sea Islands, xiii. 505

South Shields, murder at, xiii. 618

Spirits, Drawback on, ix. 138

Stamford, boundaries of, xi. 406

Stamp-Office Prosecutions, xi. 491

Stockton-on-Tees, x. 1117

Strangers, excluded from the gallery, ix. 895

Subletting Act (Ireland) x. 570

Sugar Duties, x. 964, 1236.—xi. 63, 807

Sunderland Harbour, case of Privilege concerning, xii. 542, 741
Supplies, petitions to stop the, xii. 781, 876, 1032, 1274.—xiii. 293
Supply, ix. 153, 1285.—x. 272, 480, 669, 970.—xi. 330, 924, 1018, 1281.—xii. 466.—xiii. 1178, 1247
Surrey Roads, xi. 34
Swan River Settlement, x. 503

Terceira, Government of, seizes British ships, x. 107
Timber Trade, x. 1232
Times, The, breach of privilege, xiii. 905, 951, 960
ithes in Ireland (Committee) ix. 259, 781, 1193.—x. 525, 1331.—Ministerial plan for regulating, xi. 134, 970, 1042, 1112, 1234, 1363.—xii. 85, 572.—xiii. 1159.—Petitions, ix. 709, 781.—x. 20, 66, 102, 309, 410, 987, 1061.—xi. 243.—xii. 465, 633
Travancore, Rajah of, xii. 195
Troops, Employment of, x. 968

Vaudois, the, ix. 799
Vestries' Act, Amendment Bill, ix. 763.—x. 897
Utopia, case of, x. 895

Waterford, petition from, ix. 709
Ways and Means, x. 1236.—xi. 329
Wellington, Duke of, his conduct in undertaking to pass the Reform Bill, xii. 905
West Indies, relief for, x. 971, 1236.—xi. 34, 290, 807, 1016.—xiii. 190, 1172
Widows' Pensions, x. 480

Yorkshire, Division of, ix. 810

(B).—MEMBERS WHO HAVE SPOKEN IN DEBATE:—

I.—HOUSE OF LORDS.

Aberdeen, Earl of, ix. 25, 132, 228, 316, 322, 586, 778, 834, 888
—x. 11, 14, 725, 1055, 1302
—xi. 112, 123
—xiii. 1084
Anglesey, Marquess of, xii. 514, 528
Armagh, Archbishop of, x. 870
—xi. 89, 1087
—xii. 745
—xiii. 1188, 1271
Auckland, Lord, ix. 1226
—x. 18
—xi. 16, 478, 479, 582
—xii. 1369

Bangor, Bishop of, xi. 804
Bath and Wells, Bishop of, xi. 16, 128
Bathurst, Earl of, xi. 1245
—xii. 56
Belhaven, Earl of, xiii. 1271, 1275, 1289
Beresford, Viscount, xi. 1305, 1308
—xiii. 400
Bexley, Lord, ix. 585, 586
—xii. 692, 1368
—xiii. 342, 1084, 1269
Boston, Earl of, xiii. 186
Bristol, Bishop of, xi. 632, 1176
—xii. 259, 325, 1071
—xiii. 1
Buccleugh, Duke of, xii. 673, 676, 870
—xiii. 403, 545, 733, 762
Buckingham, Duke of, ix. 28, 36
—x. 457, 462, 723
—xii. 1, 3, 220, 301, 353, 367, 731, 1106
—xiii. 179, 186, 280, 281, 285, 348, 349
Bute, Marquess of, xi. 942
—xiii. 113

Caledon, Earl of, x. 763, 1302
—xi. 1
—xiii. 1225
Camden, Earl, xiii. 281
Camperdown, Earl of, ix. 5, 25
—xii. 674, 868, 871
—xiii. 32, 404, 547, 733
Canterbury, Archbishop of, x. 985, 1299, 1303
—xi. 301, 315, 316, 318, 319, 787, 799, 804, 934, 938, 941, 943
—xii. 616
Carbery, Lord, xiii. 5, 544, 545, 1080, 1083
Carnarvon, Earl of, ix. 244, 1146, 1147
—x. 462, 464, 1157
—xi. 127, 865
—xii. 369, 454, 718, 766, 768, 905, 1023, 1030, 1062, 1066, 1069, 1107, 1220, 1255, 1256, 1377
—xiii. 31, 287, 288
Chancellor, Lord, ix. 130, 133, 1144, 1145, 1146, 1166
—x. 100, 455, 723, 724, 762, 763, 1045, 1046, 1158
—xi. 109, 126, 488, 804, 1275
—xii. 408, 621, 630, 672, 676, 686, 760,

761, 874, 983, 1022, 1056, 1058, 1098, 1115, 1131, 1133, 1250, 1254, 1256, 1268, 1272, 1273, 1274, 1377, 1386, 1390, 1391, 1392, 1393, 1394, 1396, 1397, 1398
—xiii. 19, 22, 32, 112, 113, 117, 184, 185, 187, 188, 189, 281, 283, 290, 291, 402, 404, 546, 547, 548, 617, 735, 763, 827, 903, 944, 946, 992, 1052, 1085, 1158, 1187, 1289, 1292, 1293, 1294, 1296
Chester, Bishop of, xi. 390, 804, 941
Chichester, Bishop of, x. 740
—xi. 615, 1085
Clanricarde, Marquess of, ix. 239
—x. 256, 463, 680
—xi. 22, 95, 109, 594, 620
—xii. 529, 1029
—xiii. 114, 279, 283, 1186
Cleveland, Marquess of, xii. 103, 118, 1094, 1095, 1096
—xiii. 181, 182, 183
Clifden, Viscount, x. 257
Clifford, Lord, xii. 723
Cloncurry, Lord, ix. 131
—x. 7, 256, 676, 891
—xi. 125, 241
—xii. 532
Colville, Lord, xii. 146, 1374
—xiii. 102
Coventry, Earl of, ix. 207
—xi. 2
Cumberland, Duke of, xii. 1219, 1271
—xiii. 110, 1082, 1292, 1293

Dacre, Lord, xiii. 990, 1000
Darnley, Earl, xii. 1130
—xiii. 399, 1268, 1271
David's, St., Bishop of, xii. 1217
Delawarr, Earl of, xii. 1030
Devonshire, Duke of, xiii. 5
Dover, Lord, x. 1056
—xii. 768
Durham, Bishop of, xi. 798, 1172
—xii. 48, 1209, 1214
Durham, Lord, xii. 351, 353, 369, 1128, 1132, 1211, 1217, 1223, 1261, 1380, 1386, 1396
—xiii. 114, 179, 186, 190, 289, 290

Eldon, Earl of, ix. 24, 832, 1151, 1180
—x. 677, 737, 755, 1107, 1268, 1298
—xi. 91, 301, 316
—xii. 390, 532, 533, 672, 673, 1097
—xiii. 903, 904, 987, 1186, 1225, 1294, 1295
Ellenborough, Lord, ix. 127, 131, 207, 213, 240, 244, 322, 586, 772, 778, 1144, 1145, 1146
—x. 5, 8, 10, 99, 407, 445, 447, 1044, 1045, 1046, 1053, 1110, 1287, 1292, 1293, 1294
—xi. 23, 111, 112, 298, 299, 300, 301, 317, 479, 482, 488, 582, 1252
—xii. 27, 212, 326, 327, 624, 672, 709, 727, 759, 1097, 1104, 1108, 1130, 1131, 1132, 1133, 1134, 1260, 1261, 1263, 1273, 1274, 1369, 1375, 1376, 1390, 1391, 1392, 1393, 1394, 1395, 1397, 1398
—xiii. 4, 8, 15, 113, 117, 179, 181, 182, 183, 184, 185, 188, 189, 289, 290, 291, 345, 947, 1083, 1157, 1158, 1307, 1308
Exeter, Bishop of, xi. 594, 620, 621, 936, 937,
—xii. 271, 365, 368, 369, 454
—xiii. 5, 348, 1276, 1289, 1292, 1293, 1295, 1296

Falmouth, Earl of, xi. 128
—xii. 109, 111, 116, 122, 246
Fife, Earl of, xiii. 15, 828

Gage, Viscount, xii. 72, 1105
Glengall, Earl of, xi. 1330
Gloucester, Bishop of, xii. 403
Goderich, Viscount, ix. 778, 1146, 1147
—x. 724
—xi. 124
—xii. 383, 604, 628
—xiii. 12, 103, 285, 347, 1181
Gosford, Earl of, x. 757, 761, 763, 1157
—xi. 630
Grafton, Duke of, xiii. 610
Grantham, Lord, xiii. 279
Grey, Earl, ix. 24, 36, 127, 129, 132, 133, 212, 229, 245, 320, 771, 772, 776, 778, 862
—x. 2, 4, 12, 449, 457, 725, 727, 730, 731, 733, 745, 761, 1046, 1052, 1054, 1056, 1057, 1106
—xi. 26, 102, 112, 119, 124, 125, 300, 301, 309, 604, 638, 641, 858, 863, 865, 939, 1079, 1090, 1092, 1177, 1247, 1251, 1253, 1316, 1329
—xii. 2, 4, 120, 212, 300, 301, 303, 325, 326, 327, 330, 352, 367, 368, 440, 446, 672, 676, 714, 731, 758, 759, 763, 873, 982, 983, 1002, 1021, 1049, 1052, 1063, 1068, 1096, 1097, 1108, 1134, 1216, 1219, 1264, 1265, 1266, 1268, 1269, 1270, 1271, 1273, 1394, 1397
—xiii. 108, 178, 291, 357, 731, 900, 904, 947, 1082, 1085, 1266, 1294, 1295, 1307, 1308

Haddington, Earl of, xii. 59, 175, 873, 1022, 1129, 1259, 1261
—xiii. 32, 186, 189, 290, 547, 548, 734, 1285
Hamilton, Duke of, xiii. 404
Harewood, Earl of, xii. 596, 604, 631, 713, 1049, 1051, 1052
—xiii. 6, 10, 280, 283, 827
Harrowby, Earl of, ix. 21, 131, 233
—xi. 858, 937, 941
—xii. 148, 302, 692, 1255
—xiii. 351
Holland, Lord, xi. 125, 316, 1329
—xii. 78, 323, 324, 352, 353, 699, 1261, 1398
—xiii. 14, 25, 26, 402, 403, 1158, 1185, 1186, 1188, 1294, 1308
Howard of Effingham, Lord, xii. 116, 1272

Kenyon, Lord, x. 1156, 1157
—xi. 126, 318, 319, 941, 942
—xii. 328, 496, 498, 982, 983, 1266, 1268, 1269
—xiii. 178, 179, 1186
Kilmore, Bishop of, xiii. 1189
King, Lord, ix. 832, 833
—x. 674, 677, 678, 680, 844, 851, 1107
—xi. 318, 786, 787, 802, 935, 936, 937, 940, 941, 942, 943, 1090, 1175
—xii. 980, 981, 982, 1366, 1367, 1368, 1376
—xiii. 3, 31, 179, 184, 278, 608, 761

Lansdown, Marquess of, ix. 242, 244, 1147, 1227
—x. 6, 248, 406, 407, 408, 441, 444, 446, 447, 731, 763, 890, 1269, 1291, 1303
—xii. 288, 1393
—xiii. 3, 4, 5, 113, 185, 286, 346, 544, 616, 1080, 1081, 1082, 1185, 1186, 1187, 1230, 1293
Leinster, Duke of, xi. 591, 603, 1250
—xiii. 346
Lichfield, Bishop of, xii. 1391
—xiii. 278
Limerick, Earl of, x. 257, 675, 677
—xii. 26, 127
Lincoln, Bishop of, xii. 244
Llandaff, Bishop of, xi. 633, 941
—xii. 287
London, Bishop of, x. 443, 847, 888, 1157, 1286
—xi. 109, 111, 301, 317, 319, 592, 801, 864, 933, 937
—xii. 267, 1367, 1368
—xiii. 610
Londonderry, Marquess of, ix. 834
—x. 729, 1040, 1042, 1043, 1051, 1052, 1053, 1055, 1057, 1104, 1106
—xi. 101, 298, 633, 1091, 1093, 1329, 1330
—xii. 74, 78, 116, 120, 369, 1020, 1095, 1096, 1104, 1133, 1216, 1267, 1378, 1390, 1398
—xiii. 4, 98, 102, 111, 114, 115, 116, 117, 284, 728, 1189, 1264
Longford, Earl of, xi. 1309
Lorton, Viscount, x. 255, 763
—xi. 241
Lyndhurst, Lord, xii. 428, 446, 677, 727, 999, 1001
Lynedoch, Lord, ix. 829, 831
Lyttleton, Lord, ix. 12
—xii. 1266, 1267

Malmesbury, Earl of, xi. 1093
—xii. 1102, 1260, 1376
—xiii. 4, 27, 113, 184, 187, 188, 189, 823, 1082, 1085
Mansfield, Earl of, ix. 830
—xii. 129, 1008
Manvers, Earl, xii. 723, 1107
Melbourne, Viscount, ix. 131, 229, 250, 770, 772, 834
—x. 10, 741, 760, 876, 1292, 1293, 1294
—xi. 125, 298, 299, 479, 1248, 1249, 1252, 1330
—xii. 44, 534, 631, 751, 1365
—xiii. 280, 281, 345, 348, 349, 900, 946, 1155, 1158, 1202
Middleton, Lord, xiii. 897, 900
Minto, Earl of, xii. 877
—xiii. 5, 822, 1086
Montague, Lord, xi. 618
Morley, Lord, xii. 1134
Mulgrave, Earl of, xii. 1027, 1030, 1391
Munster, Earl of, xiii. 180

Napier, Lord, xii. 1367, 1370
Newcastle, Duke of, xii. 709, 1058, 1096, 1097, 1098, 1108, 1133, 1219, 1220, 1257
Norfolk, Duke of, xi. 589, 590
Northampton, Marquess of, xiii. 291, 292, 611, 617, 618, 1086
Northumberland, Duke of, xi. 126

Plunkett, Lord, x. 8, 250, 256, 448, 458, 462, 752, 756, 858, 869, 881, 1043, 1044, 1046, 1051, 1052, 1057
—xi. 104, 125, 582, 633, 1248, 1252, 1304, 1305, 1328, 1329
—xiii. 1182, 1185, 1186, 1188, 1189, 1213, 1214, 1216, 1221, 1222, 1286
Plymouth, Earl of, xii. 761
Ponsonby, Lord, x. 1105

Radnor, Earl of, x. 850, 883, 1042, 1043, 1045
—xi. 618, 805
—xii. 235, 695, 1061, 1062, 1262, 1272, 1376
—xiii. 1, 3, 5, 30, 105, 108, 115, 186, 400, 615, 1085
Richmond, Duke of, x. 888, 1156, 1157
—xi. 297, 298
—xii. 106, 109, 110, 1259, 1397
—xiii. 3, 13, 115, 116, 281, 284, 290, 400, 402, 1305, 1306, 1308
Rochester, Bishop of, xii. 400
Roden, Earl of, x. 751, 756, 851, 869, 892
—xi. 241, 623, 1086, 1251, 1311, 1316
—xii. 211, 212, 324, 524, 981, 1031, 1098
—xiii. 2, 279, 283, 346, 347, 945, 946, 948, 1188, 1189, 1213, 1221, 1222, 1235
Rolle, Lord, xiii. 1306
Roseberry, Earl of, xi. 599
—xii. 673, 872, 873
—xiii. 403, 547, 611, 734, 763, 824
Rutland, Duke of, x. 680
—xii. 1045

Salisbury, Marquess of, ix. 130, 1145
—x. 723
—xi. 127, 593, 787

—xii. 53, 111, 672, 984, 1028, 1135, 1256, 1367, 1393, 1394, 1395, 1397
—xiii. 19, 289, 400, 1269, 1295
Seaford, Lord, xii. 609
Seagrave, Lord, xii. 1126
—xiii. 30
Selkirk, Earl of, xiii. 13
Shrewsbury, Earl of, xii. 122, 127, 234
Stourton, Lord, xii. 51
Strangford, Viscount, ix. 587, 1226
—x. 14, 18
—xi. 3, 28, 499
—xiii. 400, 1270
Suffield, Lord, xi. 111, 127, 301, 302, 315, 317, 318, 593, 594, 795, 931, 933, 934, 938, 940, 941, 942, 943, 1166
—xii. 496, 602, 1261, 1267, 1391
—xiii. 4, 6, 8, 16, 285, 610, 982, 998, 1180, 1182, 1293
Suffolk, Earl of, xii. 760, 1001
—xiii. 288, 999
Sussex, Duke of, ix. 1148, 1151
—x. 1
—xii. 212, 669, 672
—xiii. 347, 348

Templemore, Lord, xii. 532
Tenterden, Lord, ix. 1227
—x. 986
—xi. 593, 802, 941, 942, 1251, 1274
—xii. 397
—xiii. 545, 546, 611
Teynham, Lord, ix. 1144, 1147
—x. 851, 1045, 1297
—xi. 300, 1252
—xii. 212, 213
—xiii. 400

Warwick, Earl of, xiii. 30
Wellington, Duke of, ix. 874
—x. 724, 732, 735, 744, 881, 891, 1294, 1305
—xi. 21, 103, 124, 298, 302, 314, 488, 620, 621, 641, 869, 938, 1092, 1248, 1251, 1323, 1331
—xii. 120, 159, 243, 300, 301, 369, 413, 617, 697, 993
—xiii. 547, 614, 735, 1206, 1216, 1267, 1273, 1292
Westmeath, Marquess of, ix. 772, 833, 1226
—x. 257
—xi. 1251, 1293, 1315, 1331
—xii. 523
—xiii. 1185, 1187, 1234
Wharncliffe, Lord, x. 1056
—xi. 300, 480, 487, 863, 1090, 1093, 1087, 1252, 1331
—xii. 177, 712, 1060, 1063, 1098, 1122, 1258, 1267, 1392, 1394, 1397
—xiii. 19, 26, 32, 33, 111, 188, 290, 800, 1152, 1269
Wicklow, Earl of, ix, 131, 234, 768, 771, 833
—x. 3, 249, 255, 448, 453, 757, 760, 762, 873, 887, 888, 1282, 1302
—xi. 125, 126, 298, 478, 583, 590, 647
—xii. 325, 499, 535, 750, 751, 1106, 1364
—xiii. 279, 282, 344, 345, 346, 1080, 1082, 1084, 1185, 1186, 1187, 1226
Winchilsea, Earl of, ix. 133
—xi. 939, 1076, 1087, 1311
—xii. 213, 352, 530, 712, 981, 1017, 1054, 1057, 1103, 1126, 1132, 1263, 1265, 1266, 1270, 1271
—xiii. 2, 3, 349
Worcester, Bishop of, x. 682
Wynford, Lord, ix. 833, 1151, 1183
—x. 8, 18, 678, 680
—xi. 786, 799, 941, 1248, 1274, 1275
—xii. 106, 108, 109, 328, 330, 628, 1119, 1133, 1134, 1250, 1272, 1366, 1393, 1396, 1398
—xiii. 3, 19, 23, 27, 103, 107, 113, 116, 402, 403, 825, 991, 1000, 1086, 1158, 1268, 1296, 1306

York, Archbishop of, xii. 1043

II.—HOUSE OF COMMONS.

Acheson, Lord, x. 1010, 1113, 1162
Adam, Admiral, x. 1093
—xi. 1361
—xiii. 746
Adeane, Mr., ix. 1012, 1118
—x. 382, 1260
—xi. 687
—xiii. 931
Advocate, the Lord, ix. 297, 632, 808, 1143, 1195
—x. 389, 401, 438, 440, 470
—xi. 88, 89, 1184
—xii. 205, 1175, 1403, 1407
—xiii. 217, 298, 321, 331, 390, 392, 395, 462, 746, 748, 750, 753, 1060, 1063, 1065
Agnew, Sir Andrew, x. 216
—xii. 1135
—xiii. 495
Althorp, Right Hon. Lord, (Chancellor of the Exchequer) ix. 3, 97, 100, 102, 104, 126, 127, 139, 141, 143, 150, 153, 154, 155, 173, 178, 191, 192, 205, 206, 257, 258, 329, 330, 334, 335, 339, 418, 419, 423, 424, 426, 429, 573, 576, 577, 629, 632, 645, 646, 663, 687, 689, 690, 694, 701, 718, 721, 738, 748, 752, 757, 761, 762, 791, 811, 813, 816, 820, 821,

822, 825, 902, 968, 989, 999, 1006, 1010, 1015, 1037, 1052, 1074, 1090, 1097, 1098, 1102, 1104, 1105, 1107, 1109, 1110, 1111, 1114, 1127, 1128, 1140, 1194, 1197, 1198, 1203, 1207, 1209, 1220, 1223, 1224, 1225, 1233, 1234, 1236, 1238, 1242, 1252, 1256, 1257, 1258, 1259, 1261, 1264, 1285, 1293, 1318, 1338, 1348, 1350
—x. 24, 31, 40, 45, 47, 48, 50, 51, 52, 53, 54, 59, 60, 61, 66, 76, 78, 79, 87, 93, 94, 98, 196, 219, 221, 223, 224, 227, 229, 231, 232, 234, 239, 240, 241, 245, 270, 271, 272, 277, 286, 297, 298, 314, 315, 318, 335, 337, 341, 342, 347, 348, 383, 384, 385, 389, 390, 391, 392, 393, 395, 396, 397, 398, 399, 400, 401, 423, 425, 426, 429, 431, 437, 439, 472, 475, 477, 484, 507, 509, 510, 520, 534, 538, 540, 541, 543, 544, 564, 569, 570, 600, 617, 628, 689, 693, 701, 712, 720, 765, 896, 901, 911, 912, 914, 920, 966, 967, 968, 969, 971, 973, 974, 975, 982, 1038, 1040, 1064, 1065, 1067, 1077, 1078, 1092, 1093, 1103, 1120, 1122, 1137, 1156, 1205, 1234, 1236, 1265, 1266, 1267, 1355
—xi. 40, 70, 80, 81, 83, 84, 85, 129, 198, 219, 226, 227, 231, 233, 240, 266, 267, 286, 290, 291, 329, 385, 568, 577, 806, 807, 847, 852, 954, 968, 1016, 1023, 1025, 1027, 1038, 1053, 1187, 1230, 1281, 1282, 1364, 1369, 1402
—xii. 95, 100, 201, 204, 206, 314, 322, 466, 468, 471, 472, 474, 544, 550, 635, 653, 742, 753, 770, 772, 774, 778, 781, 805, 864, 889, 915, 969, 989, 1036, 1042, 1072, 1078, 1089, 1172, 1356, 1359, 1361, 1362, 1363
—xiii. 59, 65, 96, 97, 196, 260, 295, 296, 297, 299, 307, 314, 316, 319, 321, 381, 382, 383, 385, 386, 387, 388, 389, 390, 394, 395, 396, 397, 398, 412, 418, 463, 467, 474, 486, 509, 540, 554, 563, 586, 587, 593, 607, 634, 647, 745, 747, 751, 753, 817, 819, 909, 921, 933, 935, 963, 967, 975, 1002, 1003, 1005, 1014, 1021, 1056, 1057, 1067, 1069, 1070, 1164, 1172, 1173, 1175, 1178, 1239, 1240, 1241, 1242, 1247, 1249, 1252, 1254

Ashley, Lord, ix. 560
—xii. 468, 1038, 1039

Astell, Mr., xiii. 716

Atkins, Mr. Alderman, xiii. 542

Attorney General, ix. 139, 140, 299, 336, 337, 338, 343, 583, 701, 818, 931, 949
—x. 56, 57, 60, 81, 178, 223, 224, 225, 226, 241, 425, 426, 428, 430, 431, 606, 635, 647, 1235
—xi. 284, 491, 492, 570, 852
—xii. 210, 321, 322, 898, 938, 939, 1148, 1168, 1414
—xiii. 196, 713, 937, 957

Attwood, Mr., ix. 1067, 1298
—x. 617, 1035
—xi. 922
—xii. 1356, 1362

Baillie, Mr., xiii. 560

Bainbridge, Mr., xi. 1070

Bankes, Mr. William, ix. 763

Bankes, Mr. George, x. 327, 384, 585, 1027, 1032, 1218
—xi. 58, 60, 81, 285
—xii. 986, 1087
—xiii. 964, 965, 966

Baring, Mr., ix. 189, 190, 922, 1077, 1121, 1200, 1261, 1272, 1328
—x. 81, 91, 211, 219, 220, 221, 327, 332, 347, 476, 704, 976, 977, 1152, 1260, 1322
—xi. 291, 292, 907, 921, 1032, 1268
—xii. 774, 780, 792, 811, 822, 881, 882, 885, 911, 939, 943, 953, 989, 1042, 1078, 1354, 1358, 1363, 1413
—xiii. 77, 209, 228, 301, 302, 314, 388, 398, 470, 475, 936, 1069, 1079, 1145, 1175

Baring, Sir Thomas, ix. 902, 1102
—xii. 757

Baring, Mr. Francis, x. 510, 981
—xi. 1110, 1165

Bastard, Captain, x. 705, 711, 1101

Bateson, Sir Robert, ix. 798, 894, 1095
—x. 24, 35, 40, 261, 286, 496, 684, 1060, 1111, 1112, 1114, 1186
—xii. 896, 1139, 1209
—xiii. 228, 275, 406, 830, 1015, 1048, 1166, 1258

Bayntun, Mr., ix. 1231

Beaumont, Mr., xii. 544, 920, 1276

Benett, Mr., ix. 1113
—x. 191, 194, 229, 231, 309, 467
—xi. 1244
—xii. 1414
—xiii. 466, 618, 1143

Bentinck, Lord George, xi. 1042, 1112
—xiii. 80, 593, 596, 754

Beresford, Colonel, ix. 707

Berkeley, Captain, ix. 1120
—x. 97, 375, 1123
—xi. 1349
—xii. 925
—xiii. 961

Bernal, Mr., ix. 690, 822, 825, 981, 1101
—x. 223, 296, 623, 668, 697, 1149
—xi. 43, 1234
—xii. 487
—xiii. 472, 923, 1078

Best, Mr., xi. 78, 80
—xiii. 965

Blackney, Mr., ix. 711, 713, 720
—x. 103, 235, 316, 412, 414, 989
—xi. 250
—xiii. 466, 869, 1256

Blake, Sir Francis, ix. 1230, 1231

Blamire, Mr., ix. 976, 979, 1227
—x. 668
—xi. 398
—xiii. 561, 962

Blount, Mr., xiii. 764

Bodkin, Mr., xi. 134

Boldero, Captain, x. 54, 56, 60

—xi. 1027, 1041, 1285
Bourke, Sir John, ix. 474, 615
—x. 575, 662
—xi. 135, 1142, 1285
—xii. 477
—xiii. 585, 896, 1172
Brabazon, Lord, x. 383
Briscoe, Mr., ix. 575, 577, 649, 826, 903
—x. 258, 259, 269, 392, 393, 440, 907, 1067, 1222
—xi. 206
—xii. 194, 317, 319, 321, 322, 483, 666, 668, 1276
—xiii. 500, 554, 953, 1057
Brougham, Mr. William, ix. 253, 649, 651
—x. 600
—xii. 195, 200
—xiii. 253
Browne, Mr. Dominick, ix. 284, 289, 743
—xi. 174
—xii. 633, 980
—xiii. 805, 1171
Browne, Mr. John, ix. 289, 616
—x. 1187
—xi. 1270
—xii. 86
Brownlow, Mr., x. 1332
—xi. 134, 156, 976
Bruce, Mr. Cumming, ix. 636
—x. 405, 1087
—xi. 1164, 1165
—xii. 1208
—xiii. 339, 391, 495
Brydges, Sir John, ix. 138, 706, 715, 980
—xi. 499
Bulwer, Mr. Henry Lytton, ix. 299, 367
—x. 1001
—xiii. 1089, 1114
Bulwer, Mr. Edward Lytton, xiii. 239, 258, 619, 647
Burdett, Sir Francis, ix. 104, 116, 121, 1091, 1281
—xi. 947
—xii. 893, 959, 964, 965
—xiii. 95, 404, 914
Burge, Mr., ix. 1351
—x. 220, 430, 508, 535, 967, 972, 1256
—xi. 39, 40, 83, 290, 291, 292, 329, 809, 817, 841
—xii. 549
—xiii. 81, 193, 507, 759, 1008, 1113, 1176, 1178
Burrell, Sir Charles, x. 465, 468, 531
—xi. 234
—xii. 317, 980
Buxton, Mr. Fowell, x. 1262
—xi. 291, 838, 841
—xiii. 37, 62, 96, 98, 200, 1177, 1178
Byng, Mr., x. 205, 484, 491
—xi. 265
Byng, Sir John, xi. 1225
—xiii. 298
Calcraft, Mr., xiii. 896, 967, 968
Callaghan, Mr., ix. 205, 713
—x. 75, 521, 907
—xi. 1107, 1374
—xii. 1401, 1402
—xiii. 856, 1263
Calvert, Mr. Nicholson, ix. 827
—x. 683
Campbell, Mr. John, ix. 125, 126, 138, 563, 589, 701, 702, 761, 978, 979, 1188, 1191, 1230, 1247
—x. 57, 65, 99, 220, 226, 246, 396, 397, 403, 430, 615, 662, 663, 668, 669, 695, 1167
—xii. 105, 202, 210, 315, 744, 753, 757, 979, 1174, 1413, 1414
—xiii. 203, 254, 318, 393, 398, 466, 472, 489, 498, 538, 560, 561, 645, 678, 714, 921, 937, 941, 1007, 1010
Campbell, Mr. Walter, ix. 1233
—x. 519, 982
—xiii. 301
Carter, Mr. Bonham, x. 78
—xi. 227
Carew, Mr., x. 311
—xi. 170, 1163
Castlereagh, Lord, x. 1113
—xii. 633
—xiii. 132, 137
Cavendish, Lord, ix. 37
Chandos, Marquess of, ix. 184, 214, 1115
—x. 206, 915, 966, 1237
—xi. 34, 35, 83
—xii. 635
—xiii. 34
Chapman, Mr., ix. 893
—x. 102, 260
—xi. 247, 1053, 1163
—xiii. 840
Clerk, Sir George, ix. 808, 1017, 1143, 1194, 1350
—x. 63, 76, 78, 280, 281, 282, 283, 284, 293, 295, 296, 341, 367, 439, 480, 518, 821, 970, 1081, 1096, 1097, 1322
—xi. 331, 336, 924, 925, 928, 929, 1185, 1187, 1352
—xii. 210, 472, 493, 1175
—xiii. 226, 335, 390, 391, 462, 745, 747, 754, 1009
Clive, Lord, ix. 193, 200
Clive, Mr. C. Bolton, x. 80, 81
Cockburn, Sir George, x. 54, 59, 288, 364, 829, 1320
—xi. 337, 924, 926, 927, 930, 1333
—xii. 545, 742
—xiii. 1179
Coke, Mr., xiii. 302
Colborne, Mr. Ridley, xi. 1018, 1268
—xii. 467, 471, 1411, 1413
—xiii. 399
Conolly, Colonel, x. 37, 41, 259, 516, 685, 701, 1083, 1113, 1200, 1202
—xi. 170, 250, 1270, 1278

—xii. 465, 539, 1425
—xiii. 144, 145, 817, 863, 1020, 1051
Cooper, Mr. E. J., ix. 797
Coote, Sir Charles, xi. 1158
—xii. 1417
—xiii. 262, 265
Copeland, Mr. Alderman, ix. 705, 707
—xi. 1277
Courtenay, Mr., ix. 577, 1024, 1086, 1272
—x. 62, 108, 185, 305, 713
—xi. 906
—xii. 321, 494, 658, 1361
—xiii. 756, 820, 924, 1009
Crampton, Mr., ix. 225, 558, 589, 593, 706, 707, 894, 1277
—x. 43, 101, 416, 577, 633, 643, 1182, 1211, 1212, 1213, 1216, 1221
—xi. 176, 325, 1245, 1270, 1271, 1273, 1384
—xii. 94, 95, 96, 104, 311, 1209, 1415
—xiii. 136, 137, 207, 209, 275, 465, 466, 468, 598, 727, 792, 795, 907, 924, 942, 1168, 1169
Cripps, Mr., ix. 153
—x. 48, 50, 82, 416
—xiii. 511, 925, 930, 931
Croker, Right Hon. Mr., ix. 36, 46, 57, 99, 102, 145, 181, 182, 257, 258, 330, 331, 333, 392, 419, 564, 568, 573, 625, 627, 648, 652, 675, 676, 679, 681, 682, 685, 696, 738, 746, 747, 748, 749, 752, 753, 754, 755, 756, 758, 761, 763, 981, 998, 999, 1003, 1013, 1090, 1101, 1196, 1198, 1203, 1205, 1224, 1231, 1284
—x. 45, 207, 210, 218, 226, 230, 232, 234, 235, 240, 241, 243, 265, 266, 278, 281, 283, 289, 321, 324, 325, 332, 343, 376, 536, 538, 539, 559, 567, 568, 569, 582, 594, 601, 608, 616, 620, 621, 622, 623, 624, 626, 631, 632, 688, 692, 693, 694, 695, 696, 698, 700, 701, 702, 703, 711, 712, 714, 715, 716, 719, 720, 765, 832, 898, 909, 910, 912, 913, 914, 915, 1065, 1068, 1094, 1102, 1120, 1122, 1123, 1124, 1143, 1148, 1149, 1151, 1232, 1263, 1265, 1266, 1267, 1268
—xi. 33, 34, 38, 43, 44, 45, 46, 54, 56, 57, 58, 60, 62, 72, 80, 81, 208, 220, 222, 463, 465, 739
—xii. 1208, 1209
—xiii. 381, 382, 390, 440, 453, 507, 512, 513, 533, 538, 608, 714, 915, 918, 921, 1256, 1257
Curteis, Mr., ix. 1120
—xi. 969
—xii. 893, 979, 1043
Cust, Mr. Edward, ix. 473
—x. 621, 1331

Dalrymple, Sir Adolphus, x. 497, 501, 502, 613, 1131
—xi. 1210, 1288, 1289
—xiii. 35, 307, 339
Davidson, Mr. Duncan, xiii. 747
Davies, Colonel, ix. 253, 324, 326, 327, 1038, 1052, 1089, 1135, 1243, 1267
—x. 133, 230, 386, 401, 478, 508, 563, 1064, 1103
—xi. 412, 413, 1025, 1253, 1266
—xii. 776, 987
—xiii. 508, 896, 976, 1177, 1248, 1252
Dawson, Mr. George, ix. 107, 138, 141, 142, 218, 265, 285, 557, 560, 793, 798, 1312, 1318
—x. 473, 475, 496, 527, 689, 690, 897, 1206, 1207, 1212, 1213, 1220
—xi. 1015, 1016, 1047, 1099, 1159, 1243
—xii. 101, 202, 205, 319, 320, 321, 467
—xiii. 163, 273, 295, 296, 908, 960, 1169, 1171, 1172, 1241, 1242, 1256, 1262
Denison, Mr., ix. 1049, 1051
—xii. 970
—xiii. 301
Denison, Mr. Evelyn, ix. 1223, 1224, 1234
—x. 1078
—xi. 33
—xiii. 955, 960
Dick, Mr., x. 61
Dixon, Mr., ix. 1017, 1018
—x. 33, 195, 269, 405, 505, 507, 518, 670, 895, 901, 977, 1224, 1319
—xi. 296, 1184, 1186, 1277, 1280
—xii. 203, 481, 486, 487, 488, 489, 490, 492, 551
—xiii. 394, 396, 404, 507, 509, 511, 748, 753, 1058, 1065, 1110, 1113
Douglas, Mr. Keith, ix. 1196
—x. 347, 509, 816, 967, 1130, 1239
—xi. 83, 291, 848, 849, 1361
—xii. 1140, 1406
—xiii. 50, 300, 751, 1242, 1247, 1263
Douglas, Mr. Charles, x. 530
Doyle, Sir John M., ix. 96, 188
—x. 145
—xi. 902, 1234
—xii. 572, 591, 1428
Drake, Mr., x. 623
Duncannon, Viscount, ix. 144, 145, 146, 147, 152, 153, 574, 575, 576, 646
—xi. 966, 970, 1151
—xii. 468
Duncombe, Mr., ix. 1332
—x. 199
—xi. 559, 1134
—xii. 545, 549, 778, 885, 886, 889, 917, 919, 920, 949
—xiii. 919
Dundas, Mr. Robert Adam, ix. 1015
—x. 345, 1236
—xi. 1184
—xii. 736, 1194, 1404
—xiii. 297, 298, 339, 553, 753, 1058, 1065

Eastnor, Lord, ix. 323, 324, 325, 697, 726
—x. 46, 1038
—xiii. 336
Ebrington, Lord, ix. 188, 1197, 1200, 1201, 1202

—x. 76, 152, 211, 414, 1354
—xii. 322, 771, 780, 781, 864, 906, 951, 959, 1036
—xiii. 1115, 1135
Eliot, Lord, x. 130
—xi. 871, 923
—xii. 488, 744
Ellice, Mr., ix. 300
Ellis, Mr., Wynn, ix. 255
—x. 583
—xii. 892
Estcourt, Mr., x. 49, 50, 247, 466, 1123
—xii. 475
Evans, Colonel, x. 148, 385, 388, 479, 496, 497, 691, 693
—xi. 134, 898, 922, 1039, 1042, 1214
—xii. 570, 634, 881, 882, 1405, 1411
—xiii. 76, 508, 509, 554, 646, 647, 894, 1138
Ewart, Mr., ix. 124, 203, 997, 1267
—x. 396, 895, 908, 910, 1138, 1148, 1151, 1152
—xi. 280, 948, 1181, 1277
xii. 662, 987
—xiii. 208

Fane, Mr. xi. 904
—xii. 319, 551
—xiii. 303, 458
Ferguson, Sir Ronald, ix. 1051
—x. 1094
—xiii. 960
Ferguson, Mr. Robert, x. 70, 105, 530, 1224
—xii. 1035
—xiii. 495, 598, 1063
Fergusson, Mr. Cutlar, ix. 110, 116, 121, 589, 640, 691, 695, 808, 988, 1015, 1016, 1096, 1110, 1113, 1114, 1194, 1200, 1242
—x. 46, 47, 83, 385, 389, 440, 524, 576, 657, 664, 938, 1083, 1224, 1243
—xi. 1057, 1069, 1186
—xii. 206, 209, 636, 740, 1135, 1141, 1190, 1195
—xiii. 205, 390, 392, 473, 549, 748, 753, 1115, 1143
Fitzroy, Lord James, xii. 1413
Fitzroy, Mr. H., x. 702, 703
Forbes, Sir Charles, ix. 96, 187, 633, 673, 765
—xii. 199, 202, 661, 1194
—xiii. 396, 496, 820, 924
Fox, Colonel, xii. 661
Freemantle, Sir Thomas, x. 347, 527
—xi. 78, 82, 84
—xii. 481, 494
—xiii. 1008
French, Mr. Arthur, x. 286
Freshfield, Mr., ix. 753, 754, 1108, 1242
—x. 49, 544
—xi. 223, 852
—xiii. 938

Gilbert, Mr. Davies, ix. 1100, 1105, 1256
—x. 259, 557, 626
—xii. 975
—xiii. 1256
Gillon, Mr., ix. 636, 1017
—x. 75, 188, 438, 467, 513, 983
—xi. 277, 1100
—xii. 890, 986
—xiii. 298, 299, 321, 1062
Gisborne, Mr., ix. 1109
—xi. 807, 1147
—xii. 1362
—xiii. 950
Godson, Mr., xii. 744
—xiii. 200, 475, 1177
Gordon, Mr., ix. 450
—x. 327, 425
Gordon, Mr. J. E., ix. 329, 634, 903, 1044
—x. 404, 438, 440, 1057, 1162, 1203
—xi. 88, 245, 329, 1011, 1014, 1181, 1184
—xii. 80, 307, 465, 539, 541, 634, 737, 1084, 1143, 1171
—xiii. 159, 229, 230, 236, 298, 299, 318, 405, 407, 466, 549, 829, 949, 950, 1043
Gordon, Mr. Robert, x. 62, 275, 283, 285, 288, 302, 304, 967, 1065
—xi. 83, 221, 832, 967, 1042, 1258
—xii. 551, 1040
Gordon, Capt. William, x. 513, 531
—xiii. 1063
Goulburn, Mr., ix. 145, 149, 150, 223, 289, 299, 338, 339, 343, 560, 573, 576, 631, 645, 670, 689, 691, 694, 695, 702, 720, 722, 748, 753, 754, 755, 759, 762, 809, 812, 813, 817, 902, 987, 1013, 1014, 1019, 1026, 1202, 1257, 1285, 1350
—x. 31, 47, 54, 57, 77, 78, 79, 81, 93, 94, 97, 219, 221, 222, 223, 228, 234, 240, 241, 246, 270, 272, 275, 286, 297, 306, 342, 349, 394, 397, 420, 505, 509, 510, 528, 568, 662, 906, 967, 973, 1122, 1253, 1262, 1266, 1323
—xi. 63, 71, 82, 226, 227, 231, 292, 296, 844, 852, 855, 1103, 1213, 1215, 1243, 1270, 1346, 1357
—xii. 201, 204, 206, 754
—xiii. 235, 384, 559, 561, 754, 756, 760, 819, 934, 942, 1008, 1161, 1165
Graham, Sir James, ix. 810
—x. 272, 273, 278, 281, 282, 283, 284, 285, 287, 290, 291, 292, 293, 295, 296, 297, 349, 375, 376, 386, 478, 480, 765, 805, 832, 970, 1314, 1323
—xi. 330, 335, 336, 339, 413, 871, 924, 925, 926, 927, 928, 929, 930, 1343, 1346
—xiii. 1179
Grant, Mr. Robert, xi. 710, 1223, 1230, 1267
—xii. 1412
—xiii. 209, 398, 715, 894
Grant, Mr. Charles, ix. 1020, 1026
—x. 406, 949, 1037, 1204
—xiii. 118, 395, 454, 457, 819, 821
Grattan, Mr. James, ix. 296, 618, 710, 1232
—x. 319, 576, 634, 1366
—xi. 328, 1002, 1164, 1367, 1379
—xii. 82, 309, 1402, 1420, 1428
—xiii. 276, 553, 589, 841

Grattan, Mr. Henry, x. 20, 73, 416, 525, 577, 663, 965, 989, 1063, 1114, 1201, 1202, 1215, 1351
—xi. 244, 250, 490, 806, 977, 986, 1155, 1165
—xii. 465, 466, 537, 540, 583, 1401
—xiii. 164, 209, 294, 296, 466, 585, 595, 607, 727, 764, 819, 831, 1041, 1263
Green, Mr. xi. 944
Greene, Mr., x. 1222
—xi. 1279, 1280
Grosvenor, Earl, x. 992, 1039, 1040, 1115
—xi. 1266
Grosvenor, Lord Robert, x. 664, 905
—xi. 328
—xii. 1144
Guise, Sir William, xiii. 962
Gurney, Mr. Hudson, xi. 502
—xii. 756

Halliburton, Mr., x. 1309
—xii. 1410
—xiii. 483
Handcock, Mr. xi. 247
Hardinge, Sir Henry, ix. 1201
—x. 269, 277, 385, 387, 479, 483, 488, 493, 495, 497, 501, 502, 509, 968, 970
—xi. 267, 268, 339, 1028, 1188, 1204, 1215, 1221, 1223, 1228, 1281, 1282, 1283, 1285, 1287, 1289, 1290, 1291, 1292
—xii. 570, 909, 911, 918, 923, 991, 992
—xiii. 297, 318, 619, 1248, 1249, 1250, 1251, 1255
Harvey, Mr. D. W., ix. 219, 252, 589, 593, 1028, 1029, 1030
—xii. 81, 985
—xiii. 648, 686, 1001, 1002, 1006, 1009, 1010
Hay, Sir John, xiii. 496
Hayes, Sir Edmund, xiii. 1048
Heneage, Mr., x. 1329
—xi. 852
Heron, Sir Robert, ix. 824, 1111, 1120
—x. 301
—xiii. 596
Herries, Mr., ix. 206, 424, 646, 903, 967, 1051
—x. 276, 282, 669
—xi. 328
—xiii. 389, 1173, 1238, 1239
Heywood, Mr., ix. 1267
—x. 910, 1031
—xi. 278, 396
—xii. 870, 1041
Hobhouse, Sir John Cam, ix. 430, 763, 765, 1257
—x. 301, 432, 435, 480, 484, 487, 496, 497, 499, 502, 503, 897, 898
—xi. 339, 728, 1018, 1037, 1038, 1202, 1204, 1219, 1227, 1281, 1282, 1286, 1287, 1289, 1291
—xiii. 892
Hodges, Mr., ix. 1120, 1230
—x. 345, 392
—xi. 237, 239
—xii. 193, 194, 979, 991
—xiii. 302
Hodgson, Mr., ix. 977, 978
—x. 60, 664, 1130, 1205, 1266, 1319
—xi. 63, 72
—xii. 543, 545
Holdsworth, Mr., x. 704, 1101
—xi. 228
Hope, Sir Alexander, xiii. 301
Hope, Mr. John T., ix. 325
—xi. 386, 900
—xii. 1186
—xiii. 1056
Hotham, Lord, x. 54
Howard, Mr. Philip, ix. 977, 1243
—x. 666
—xi. 205, 276, 397, 1155
—xii. 316, 590
—xiii. 593, 962
Howick, Lord, x. 32, 508, 535, 666, 672, 1251
—xi. 35, 36, 38, 41, 290, 292, 815, 817, 1214
—xii. 547, 551
—xiii. 62, 192, 193, 507, 508, 510, 1104, 1105, 1112
Hughes, Mr. Hughes, xi. 1156, 1276
—xii. 490, 783, 986
Hume, Mr., ix. 102, 103, 105, 127, 143, 144, 145, 149, 150, 152, 153, 155, 202, 206, 223, 224, 225, 227, 559, 562, 574, 575, 577, 580, 589, 590, 643, 646, 649, 669, 710, 719, 765, 779, 781, 792, 798, 809, 811, 895, 931, 1029, 1030, 1034, 1037, 1046, 1085, 1137, 1184, 1185, 1187, 1225, 1233, 1280, 1281, 1350
—x. 27, 28, 32, 105, 193, 198, 228, 229, 231, 232, 268, 276, 282, 284, 285, 287, 290, 291, 292, 293, 305, 306, 315, 376, 377, 379, 389, 391, 392, 393, 400, 401, 417, 423, 438, 441, 465, 470, 472, 474, 484, 485, 491, 495, 496, 503, 504, 505, 506, 507, 508, 510, 528, 534, 584, 661, 673, 685, 830, 896, 903, 969, 971, 972, 977, 991, 1085, 1113, 1115, 1116, 1223, 1242, 1321
—xi. 160, 205, 260, 292, 336, 491, 806, 833, 900, 926, 927, 928, 929, 930, 945, 1029, 1038, 1039, 1112, 1153, 1180, 1207, 1223, 1226, 1264, 1268, 1276, 1287, 1289, 1291, 1356, 1364, 1368, 1369
—xii. 99, 105, 194, 201, 202, 203, 209, 306, 308, 315, 317, 319, 465, 469, 470, 471, 472, 473, 474, 475, 477, 478, 479, 483, 484, 485, 486, 487, 489, 494, 569, 586, 660, 667, 733, 736, 753, 754, 757, 771, 807, 811, 823, 882, 884, 896, 950, 951, 967, 985, 988, 989, 990, 1040, 1071, 1072, 1085, 1195, 1275, 1279, 1324, 1359, 1362
—xiii. 69, 193, 194, 207, 208, 255, 296, 299, 300, 331, 381, 394, 398, 451, 511, 786, 791, 812, 819, 820, 829, 845, 874, 890, 913, 921, 923, 938, 1004, 1053, 1060, 1063, 1064, 1066, 1071, 1143, 1144, 1175, 1179, 1248, 1249, 1250, 1251, 1253, 1254, 1255, 1256

Hunt, Mr., ix. 86, 100, 115, 140, 145, 146, 154, 155, 185, 215, 216, 218, 253, 255, 298, 302, 315, 327, 426, 545, 563, 576, 577, 582, 590, 594, 642, 651, 674, 701, 702, 715, 765, 780, 789, 799, 816, 820, 825, 828, 902, 956, 977, 1006, 1012, 1046, 1049, 1088, 1091, 1093, 1119, 1120, 1185, 1191, 1209, 1222, 1253, 1257, 1258, 1259, 1260, 1276, 1278, 1281, 1334
—x. 21, 22, 26, 48, 51, 191, 195, 196, 198, 216, 217, 220, 222, 223, 231, 232, 233, 234, 238, 247, 259, 270, 289, 290, 292, 293, 300, 307, 308, 330, 340, 377, 378, 379, 386, 390, 397, 399, 400, 401, 421, 423, 436, 439, 468, 470, 472, 488, 492, 495, 508, 531, 582, 618, 696, 698, 717, 718, 831, 832, 838, 895, 907, 956, 969, 974, 975, 1038, 1064, 1069, 1098, 1117, 1152, 1155, 1224, 1260, 1373
—xi. 34, 72, 204, 206, 232, 251, 273, 280, 284, 285, 385, 398, 409, 492, 577, 778, 910, 944, 946, 955, 968, 1005, 1006, 1012, 1035, 1042, 1075, 1094, 1135, 1221, 1222, 1223, 1224, 1225, 1232, 1234, 1271, 1278, 1280
—xii. 194, 200, 303, 304, 309, 310, 313, 315, 316, 317, 318, 320, 322, 473, 474, 475, 478, 484, 485, 486, 495, 591, 663, 666, 667, 668, 669, 743, 744, 752, 753, 780, 783, 862, 890, 904, 971, 979, 1034, 1038, 1043, 1172
—xiii. 193, 225, 227, 233, 260, 588, 645, 681, 715, 741, 804, 856, 874, 884, 897, 907, 919, 924, 927, 928, 929, 937, 953, 960, 1071, 1113, 1175, 1249, 1250, 1253, 1263

Ingestrie, Lord, x. 663
—xi. 328, 1361
—xii. 977
—xiii. 720, 1180
Inglis, Sir Robert, ix. 124, 153, 195, 206, 225, 227, 329, 423, 429, 436, 577, 578, 617, 628, 791, 799, 807, 1277, 1289
—x. 97, 151, 323, 344, 414, 438, 441, 688, 832, 1203, 1370
—xi. 323, 429, 1154, 1156
—xii. 81, 101, 194, 308, 310, 313, 314, 316, 318, 470, 477, 478, 481, 495, 541, 664, 666, 668, 739, 742, 754, 878, 944, 1209
—xiii. 197, 237, 294, 399, 406, 457, 458, 926, 935, 938, 952, 1067, 1143, 1144, 1147
Ingilby, Sir William, ix. 1205, 1207
—x. 1324
Irving, Mr., xi. 84
—xiii. 387, 388

James, Mr., ix. 1347
—x. 217, 440, 666, 913, 1222, 1262
—xi. 280, 393
—xii. 774, 778, 878, 880
—xiii. 590, 963
Jephson, Mr., x. 424, 576, 684, 1130, 1374
—xi. 155, 1151, 1272, 1274, 1396
—xii. 104, 105
—xiii. 569, 1255
Jerningham, Mr., xiii. 767
Johnston, Mr. James, x. 414
—xi. 1015
—xii. 82, 1139, 1411
Johnstone, Sir John, ix. 712, 1188, 1192
—x. 1095
—xii. 81
—xiii. 1055, 1056
Johnstone, Mr. John, xi. 295
Johnstone, Mr. Andrew, x. 1061, 1167
—xii. 306, 309, 1183
—xiii. 380, 396, 475, 495, 496, 553, 949, 1069
Johnstone, Mr. Hope, xiii. 548
Jones, Mr., ix. 1105
—x. 245, 622
—xi. 175, 329, 1151, 1271
—xiii. 1009, 1051

Kearsley, Mr., ix. 1348
—x. 1031, 1094, 1203
—xi. 398, 851
Kemmis, Mr., xi. 1232
—xiii. 894
Kennedy, Mr., ix. 643
—xii. 1406
—xiii. 299, 394, 753, 1061, 1068, 1247, 1248, 1249, 1251, 1253, 1256, 1257
Killeen, Lord, x. 1114
—xi. 201
—xii. 86
—xiii. 819, 839, 1161
Knight, Mr. Gally, x. 143, 427
—xi. 904, 982
—xii. 470
—xiii. 72, 566, 869, 1139
Knight, Mr. James L., ix. 758, 762, 811, 812, 1106, 1107, 1109, 1110
—x. 219, 220
—xi. 73
—xiii. 1008

Labouchere, Mr., ix. 200, 256
—x. 507, 666, 905, 973, 1139, 1205
—xi. 292
—xii. 654, 773, 969
—xiii. 118
Lamb, Hon. Mr. George, ix. 68, 154, 155, 765, 1051
—x. 1063, 1329
—xi. 263, 268, 492, 945, 952, 1018, 1095, 1282
—xii. 103, 317, 1090
—xiii. 202, 209, 250, 508, 562, 566, 619, 739, 920, 921, 957, 1088, 1259
Lambert, Mr. x. 309, 323, 332, 575, 1062
—xi. 1006, 1043, 1075, 1152
—xii. 309, 589, 590
—xiii. 227, 472, 859, 1047
Langton, Mr. Gore, ix. 254, 985
—x. 246
—xii. 771
Lascelles, Mr., ix. 821
Leader, Mr., ix. 89, 135, 138, 187, 559, 594, 595, 606
—x. 25, 101, 285, 410, 414, 493, 574, 634, 662, 765, 980, 1060, 1358

—xi. 135, 243, 245, 325, 977, 1163, 1238, 1273, 1364, 1400
—xii. 88, 1399, 1422
—xiii. 262, 318, 465, 562, 580, 796, 1160, 1259
Lefroy, Mr., x. 69, 71, 264, 322, 392, 635, 1062, 1175, 1179, 1180
—xi. 326, 402, 491, 995, 1158, 1274
—xii. 96, 308, 1399
—xiii. 125, 276, 768, 769, 1014, 1017, 1023, 1163, 1168, 1172
Lefroy, Mr. Anthony, xi. 1144
—xii. 83
—xiii. 233, 235, 407, 602, 727, 1051, 1167
Lennard, Mr., ix. 220
—x. 61, 62
—xi. 396
—xii. 752, 977
—xiii. 204, 227, 682, 950, 1077
Lennox, Lord William, ix. 481
—x. 837, 1320
—xi. 394, 945, 1278
—xii. 305, 314, 892, 896, 1093, 1411
—xiii. 1078
Lennox, Lord George, x. 465, 1220
—xiii. 302
Lewis, Mr. Frankland, ix. 1208
—xiii. 923, 932, 935
Lindsey, Colonel, ix. 490
—x. 439, 1093
—xi. 1102
—xii. 735, 1041, 1138, 1181
—xiii. 300, 338, 495
Littleton, Mr., x. 65, 417, 915, 1064, 1124, 1154, 1267, 1268
—xi. 61, 76
—xii. 733, 984
—xiii. 236, 300, 380, 536, 981
Lopez, Sir Ralph, ix. 683, 685
—xi. 907
Loughborough, Lord, x. 702
—xii. 1187
—xiii. 394
Lowther, Mr., x. 1121
Lumley, Mr. Saville, xiii. 950
Lushington, Doctor, ix. 941
—xi. 42, 268, 953, 1113
—xii. 656, 757
—xiii. 79, 1176
Luttrell, Mr., xi. 224

Maberley, Mr., ix. 148, 150, 152
Maberley, Colonel, x. 663, 669, 673, 674
—xi. 1212
—xiii. 1250
Macaulay, Mr., ix. 378
—x. 842, 926
—xi. 450, 465
—xii. 779, 848, 922, 923, 992
—xiii. 52
Macdonald, Sir James, ix. 1025
Mackenzie, Mr., x. 519, 1223
—xi. 394, 1166, 1185
—xiii. 747
Mackinnon, Mr., ix. 560, 763, 1260, 1268
—x. 202, 205, 714
—xi. 517
Mackintosh, Sir James, ix. 1097
—x. 626, 632, 651
Macleod, Mr., 1185
Macnamara, Major, xi. 1271
—xiii. 229
Mahon, Lord, ix. 370
—xi. 414
Maitland, Lord, x. 595
—xi. 425
Malcolm, Sir John, x. 386
—xi. 425
—xii. 197, 200
—xiii. 337, 715, 822
Mandeville, Lord, x. 1188
Marryatt, Mr., x. 975
—xi. 39, 239
—xiii. 190
Martin, Sir Byam, x. 277, 361, 817
—xi. 928, 1337, 1349
—xii. 193
—xiii. 1179
Maxwell, Mr. Henry, xiii. 719, 1051
Member, An Hon., ix. 175, 185, 647, 755, 821, 826, 979, 1003, 1017, 1190, 1258
—x. 64, 77, 80, 206, 210, 234, 270, 298, 388, 396, 487, 636, 693, 714, 715, 968, 1015, 1172, 1232, 1323
—xi. 221, 284, 581, 1099, 1223
—xii. 668, 1355
—xiii. 382, 796
Miles, Mr. William, xiii. 978
Milton, Lord, ix. 651, 702, 821, 986, 1007, 1041, 1080, 1091, 1103, 1106, 1115, 1142, 1190, 1193, 1266
—x. 55, 96, 199, 231, 244, 246, 296, 319, 340, 538, 539, 566, 631, 715, 955, 992, 1149, 1155, 1341
—xi. 73, 82, 232, 265, 412
—xii. 780, 910, 918, 948, 1072
—xiii. 195, 299, 300, 303, 306, 307, 429, 593
Moreton, Mr., xi. 278
—xiii. 961
Morison, Mr., ix. 1094
—xi. 1263
Morrison, Mr., ix. 1091
Morpeth, Lord, ix. 98, 102, 125, 126, 214, 216, 257, 563, 709, 716, 780, 821, 1093, 1185, 1186, 1191, 1267
—x. 23, 667, 1154
—xi. 32, 64, 393, 1013, 1015
—xii. 569, 823, 968, 1277
—xiii. 1054, 1056, 1133
Mullins, Mr., ix. 632
—xi. 1006, 1062
—xiii. 806, 818
Murray, Sir George, ix. 637, 645, 995, 1018 1203, 1232

—x. 54, 57, 107, 108, 149, 506, 507, 933, 981, 1091, 1092, 1093
—xi. 340, 1110, 1187, 1211
—xii. 538, 540, 923, 938, 1196, 1407
—xiii. 60, 299, 321, 331, 335, 394, 491, 553, 742, 746, 748, 754, 1061, 1065
Musgrave, Sir Richard, x. 987
—xi. 173, 176
—xiii. 566

Newark, Lord, ix. 749
—xi. 234
—xii. 1092
Newport, Sir John, ix. 708
—xii. 772
—xiii. 295, 552, 586, 769, 792, 1013, 1015
Nugent, Lord, x. 467, 686, 689
—xi. 398
—xiii. 942

O'Connell, Mr., ix. 560, 706, 707, 708, 709, 710, 712, 783, 788, 793, 798, 804, 814, 815, 894, 940, 978, 997, 1038, 1042, 1095, 1104, 1191, 1192, 1193, 1276, 1278, 1279
—x. 20, 23, 24, 25, 44, 66, 68, 101, 182, 191, 194, 196, 214, 261, 315, 377, 378, 383, 416, 429, 576, 632, 633, 634, 644, 685, 688, 764, 905, 1341
—xii. 737, 739, 742, 842, 892, 972, 1037, 1137, 1142, 1400, 1402
—xiii. 76, 145, 146, 151, 194, 197, 209, 229, 231, 238, 248, 264, 265, 293, 294, 296, 297, 317, 406, 462, 463, 465, 468, 560, 561, 563, 567, 570, 578, 591, 594, 595, 596, 605, 637, 672, 737, 740, 763, 764, 766, 768, 769, 778, 783, 794, 795, 796, 805, 812, 815, 816, 817, 819, 853, 905, 908, 922, 924, 925, 927, 931, 935, 936, 937, 951, 958, 1003, 1004, 1006, 1011, 1012, 1013, 1014, 1036, 1040, 1053, 1054, 1087, 1089, 1111, 1136, 1159, 1161, 1162, 1164, 1167, 1168, 1171, 1256, 1258, 1259, 1260, 1261
O'Connell, Mr. Maurice, x. 578
—xi. 278, 970, 971, 978, 1245
—xii. 85, 86, 309, 574, 773
—xiii. 569, 587, 724, 1048, 1147
O'Connor, Mr., ix. 1232
—xi. 162, 667
—xii. 893
O'Ferrall, Mr., ix. 204
—x. 382, 836, 1202
—xi. 135, 171, 250, 1157, 1242, 1245, 1272, 1392
—xii. 1421
—xiii. 209, 1015
Offley, Mr., xi. 501
Ord, Mr., x. 714
Ossory, Earl of, xiii. 276
Oxmantown, Lord, xii. 1415
—xiii. 869

Paget, Mr., ix. 126, 650, 707, 967, 979
—x. 326, 662, 1205
—xi. 410
—xii. 1035
—xiii. 381, 497, 499
Palmer, Mr. Fyshe, ix. 1014
—x. 98, 325, 467
—xii. 735, 974, 1180
—xiii. 260, 561, 1052
Palmer, General, xi. 530
Palmerston, Viscount, ix. 106, 124, 806, 963, 968, 1014, 1192, 1271, 1272, 1273, 1274, 1283, 1284, 1352
—x. 108, 153, 635, 636, 1228, 1231, 1368, 1369
—xi. 132, 877, 890, 894, 910, 921
—xii. 487, 558, 570, 744, 935, 938
—xiii. 307, 308, 309, 310, 596, 1131, 1143
Parnell, Sir Henry, x. 274, 475, 483, 500, 685, 1364, 1368, 1369
—xi. 1020, 1027, 1029, 1038, 1157, 1163
—xii. 1360, 1416, 1428
—xiii. 278, 952, 953
Pearse, Mr., xii. 1360
Peel, Sir Robert, ix. 72, 121, 140, 143, 173, 175, 190, 191, 200, 205, 226, 258, 328, 330, 333, 335, 423, 527, 660, 686, 688, 690, 701, 716, 718, 719, 730, 757, 758 761, 782, 792, 957, 981, 1045, 1046, 1094, 1097, 1101, 1117, 1119, 1141, 1143, 1211, 1219, 1236, 1237, 1239, 1339
—x. 52, 53, 75, 162, 171, 174, 215, 224, 226, 228, 273, 274, 277, 297, 298, 299, 301, 307, 317, 320, 336, 339, 340, 348, 374, 375, 385, 386, 471, 479, 480, 534, 614, 628, 651, 914, 940, 1064, 1072, 1097, 1136, 1229, 1231, 1234, 1342
—xi. 41, 43, 67, 181, 206, 207, 222, 270, 273, 283, 295, 410, 739, 886, 891, 894, 921, 922, 952, 954
—xii. 208, 320, 466, 467, 468, 485, 486, 562, 570, 571, 636, 637, 741, 742, 753, 777, 780, 781, 830, 887, 948, 950, 992, 1072, 1162, 1171
—xiii. 55, 64, 66, 165, 195, 198, 308, 309, 386, 388, 396, 398, 422, 437, 440, 619, 714, 715, 716, 724, 748, 752, 765, 766, 789, 912, 936, 962, 1004, 1009, 1013, 1014, 1053, 1067, 1077, 1148, 1165
Peel, Mr. William, ix. 993
—xi. 169, 328, 1261
—xiii. 607
Peel, Mr. Edmund, ix. 1051
Pelham, Mr. Cressett, ix. 574, 579, 589, 673, 792, 819, 985, 1006, 1039, 1203
—x. 49, 75, 91, 106, 140, 216, 218, 259, 273, 319, 910, 969, 974
—xi. 61, 650, 955, 966, 1362
—xii. 783
—xiii. 49, 339, 511
Pemberton, Mr., xi. 443
Penleaze, Mr., ix. 1184
Penrhyn, Mr., xi. 998
Perceval, Mr., ix. 580, 895, 903, 1030, 1048
—x. 33, 35, 44
—xi. 577, 578, 580, 1152, 1244

Perceval, Col., ix. 788, 796, 797
—xi. 1245
—xii. 465, 1424
—xiii. 233, 466, 720, 843, 1015, 1028, 1163
Petre, Mr., xi. 278
—xii. 574, 1413
—xiii. 764
Pettit, Mr., xiii. 937
Phipps, Mr., x. 64
Pigott, Mr., ix. 669
—x. 622, 623, 718
—xi. 73, 80, 133, 902
—xii. 1323
—xiii. 1142
Pollock, Mr. Frederick, ix. 581, 918
—x. 49, 52, 65, 66, 81, 545, 557, 559, 597, 624
Ponsonby, Mr., xi. 1222, 1223
—xii. 1415
Porchester, Lord, ix. 343
—xi. 720
—xii. 990
Portman, Mr. ix., 156, 195, 199
—x. 245, 1063
—xii. 1038, 1040
—xiii. 237, 386, 931, 964, 965, 966, 968
Praed, Mr., ix. 482, 685, 991, 1013, 1128, 1142, 1204, 1268
—x. 50, 713, 718
—xii. 980
—xiii. 449, 453, 763, 765, 1071
Price, Sir Robert, x. 347
—xii. 1043
—xiii. 96, 300, 301
Pringle, Mr., ix. 1017
—xii. 540, 1208
—xiii. 222, 321, 339, 393, 741, 754, 829, 1059, 1065

Rae, Sir William, ix. 1194
—x. 385, 388, 389, 403
—xi. 88
—xii. 209
—xiii. 210, 395, 746, 747
Ramsden, Mr., ix. 1142, 1188
—x. 531, 1155
Rice, Mr. Spring, ix. 138, 223, 224, 227, 559, 594, 928, 1028, 1029, 1030, 1320
– x. 25, 27, 282, 285, 286, 300, 303, 306, 307, 308, 503, 504, 505, 506, 507, 508, 509, 510, 664, 669, 673, 970, 1217, 1233
—xi. 296, 975, 1102, 1156, 1161, 1222, 1245, 1273, 1278
—xii. 102, 311, 467, 469, 471, 472, 475, 476, 478, 480, 481, 483, 484, 485, 486, 488, 489, 490, 492, 493, 494, 668, 1415, 1425
—xiii. 849, 1170, 1259, 1260
Ridley, Sir Matthew White, ix. 977
—x. 290, 344, 1139, 1152, 1311, 1324
—xii. 549, 636, 758, 1362
—xiii. 383, 640, 1010, 1159
Robertson, Mr., xi. 1103
Robinson, Mr. George, ix. 88, 139, 227, 254, 325, 593, 672, 760, 825, 826, 941, 1042, 1052, 1057, 1065, 1233, 1272, 1273, 1277, 1284, 1335
—x. 195, 269, 282, 290, 296, 477, 488, 497, 532, 669, 902, 970, 974, 1025
—xi. 296, 542, 955, 1180, 1261
—xii. 84, 310, 311, 316, 318, 319, 466, 544, 566, 636, 826, 1038, 1277, 1356, 1363
—xiii. 256, 300, 308, 644, 884, 894, 966, 968, 1104
Rochford, Colonel, ix. 893
—x. 260
—xi. 245, 250, 406
Rose, Sir George, ix. 804
—x. 97
—xi. 671
Ross, Mr. Charles, x. 247, 400
Ross, Mr. Horatio, x. 468, 529, 978, 1306
—xi. 1095, 1181, 1185
—xiii. 751, 1066
Russell, Lord John, ix. 37, 156, 175, 182, 190, 206, 332, 492, 566, 570, 572, 652, 657, 674, 675, 680, 690, 691, 695, 698, 733, 745, 746, 747, 749, 754, 755, 756, 758, 761, 947, 956, 983, 986, 1002, 1004, 1016, 1044, 1100, 1101, 1102, 1106, 1108, 1124, 1127, 1134, 1204, 1205, 1216, 1234, 1237, 1243, 1244, 1258
—x. 46, 51, 57, 77, 78, 80, 81, 96, 222, 225, 233, 235, 236, 240, 242, 243, 248, 417, 430, 495, 503, 537, 541, 544, 552, 568, 594, 595, 600, 621, 622, 623, 624, 625, 694, 695, 696, 697, 700, 705, 710, 712, 715, 716, 717, 720, 908, 909, 913, 949, 1068, 1069, 1078, 1080, 1081, 1095, 1098, 1099, 1119, 1122, 1123, 1124, 1135
—xi. 43, 45, 65, 87, 206, 223, 226, 228, 237, 239, 412, 853, 1208, 1290, 1291
—xii. 635, 926, 932, 950
—xiii. 383, 407, 459, 462, 512, 513, 527, 533, 542, 558, 559, 560, 590, 592, 714, 715, 752, 918, 962, 965, 966, 967, 976, 1074
Ruthven, Mr., ix. 613, 787, 791, 799, 894, 1278
—x. 26, 44, 76, 265, 501, 505, 577, 634, 636, 991, 992, 1203
—xi. 203, 978, 981, 1164, 1269, 1271, 1368, 1369
—xii. 85, 95, 96, 310, 540, 572, 633, 758, 896, 991, 1416
—xiii. 142, 195, 228, 276, 594, 719, 818, 863, 942, 1142, 1162, 1264

Sadler, Mr., ix. 254, 255, 303, 309, 713, 1083, 1092, 1096, 1097, 1220
—x. 21, 104, 106, 192, 530, 531, 894, 1225
—xi. 205, 340
—xii. 899
—xiii. 500, 831, 839, 871, 1055, 1056
St. Paul, Sir Horace, x. 719
Sandon, Lord, ix. 112, 203, 685, 735, 1188, 1192, 1238, 1244, 1267, 1274, 1349
—x. 184, 221, 346, 399, 401, 896, 912, 951, 959, 1150, 1241, 1250, 1251
—xi. 293, 326, 846, 1016, 1240

—xii. 569, 827, 848, 970
—xiii. 65, 462, 508, 760, 1130, 1176
Sanford, Mr. ix. 253, 592, 647, 1088, 1185, 1190
—x. 64, 105, 246
—xi. 1263
—xii. 734, 1276
Scarlett, Sir James, ix. 815, 818, 938, 1257, 1265
—x. 616
—xi. 233, 284
—xiii. 561, 562, 1053, 1177
Schonswar, Mr., ix. 126, 1191
—x. 54, 105, 397, 666, 1319
—xi. 63, 394, 1151
—xii. 862
—xiii. 923, 1138
Scott, Mr., x. 1080, 1096
Sebright, Sir John, ix. 324
—x. 492
—xi. 1268
—xii. 319
Shaw, Mr., ix. 91, 198, 226, 293, 1278
—x. 20, 26, 41, 72, 97, 101, 102, 238, 262, 286, 316, 393, 413, 414, 415, 416, 525, 658, 663
—xi. 245, 250, 320, 490, 491, 580, 1015, 1128, 1184, 1245
—xii. 83, 102, 311, 313, 464, 465, 466, 1091, 1141, 1174, 1401, 1415, 1425
—xiii. 139, 203, 238, 294, 296, 314, 319, 406, 465, 468, 721, 1022, 1045, 1165, 1168, 1259, 1262
Sheil, Mr., ix. 95, 192, 226, 290, 327, 629, 690, 691, 708, 709, 718, 789, 1005, 1186, 1277
—x. 21, 27, 40, 70, 72, 234, 236, 322, 383, 401, 424, 525, 626, 631, 837, 959, 1096, 1097, 1204, 1344
—xi. 178, 1006, 1153, 1243, 1273, 1367, 1380, 1382
—xii. 83, 95, 101, 475, 481, 541, 575, 578, 591, 593, 662, 757
—xiii. 256, 340, 465, 561, 569, 589, 599, 725, 816, 846, 1066, 1073, 1146, 1169, 1262
Sibthorp, Colonel, ix. 191, 214, 465, 810, 822, 825, 827, 977, 985, 1112, 1204, 1206, 1224
—x. 48, 247, 305, 307, 400, 502, 503, 673, 837, 1330
—xi. 79, 233, 239, 240, 277, 780, 849, 930, 1223, 1225, 1227
—xii. 315, 895, 978, 991, 1092, 1209
—xiii. 96, 301, 397, 455
Sinclair, Mr. George, ix. 941, 1019
—xi. 233, 240, 1099
—xiii. 338, 869, 949, 1078
Slaney, Mr., ix. 468
—x. 1063
—xi. 439
—xiii. 300, 860, 1008, 1114
Smith, Mr. John Abel, ix. 689, 746, 1114
—x. 613, 919
—xiii. 866
Smith, Mr. Vernon, xiii. 942
Smith, Mr. George R. x. 697
Solicitor General, ix. 919, 1109, 1126, 1240
—x. 81, 431, 465
—xiii. 475, 560, 934, 935, 942
Somerset, Lord Granville, ix. 1233
—x. 231, 243, 246, 271, 1078, 1080, 1123, 1131, 1267
—xi. 61, 207, 229, 240, 412
—xii. 103
—xiii. 508, 509, 542, 961, 969, 981
Speaker, The, ix. 88, 594, 895, 1036, 1037, 1042, 1184, 1185, 1201, 1275, 1276
—x. 31, 384, 965, 989, 991, 1207
—xi. 128, 239, 245, 284, 851
—xii. 918, 920, 923, 951, 964, 965
—xiii. 193, 230, 231, 238, 305, 313, 314, 320, 397, 791, 795, 884, 907, 908, 953, 1005, 1115, 1162
Spence, Mr., ix. 139, 251, 252, 649, 1188
—x. 64, 66, 655
—xiii. 467
Stanley, Lord, xi. 946
—xii. 893
—xiii. 542
Stanley, Mr., ix. 54, 142, 259, 266, 513, 594, 595, 627, 785, 793, 795, 797, 798, 1018
—x. 34, 35, 40, 45, 170, 171, 286, 320, 322, 323, 340, 345, 525, 573, 578, 609, 629, 637, 656, 660, 713, 836, 966, 968, 990, 992, 1059, 1061, 1113, 1114, 1151, 1170, 1172, 1179, 1180, 1206, 1331, 1351, 1366, 1374
—xi. 135, 247, 250, 278, 764, 970, 981, 982, 1005, 1015, 1075, 1137, 1152, 1153, 1154, 1155, 1158, 1241, 1243, 1269, 1272, 1366, 1382, 1392, 1393
—xii. 86, 95, 577, 579, 590, 592, 593, 754, 758, 1418, 1424
—xiii. 117, 119, 151, 174, 193, 194, 230, 231, 232, 234, 239, 272, 296, 310, 313, 314, 316, 318, 405, 406, 431, 433, 434, 435, 437, 563, 564, 567, 577, 578, 596, 606, 717, 768, 777, 778, 783, 812, 814, 816, 831, 835, 839, 911, 913, 1007, 1010, 1012, 1013, 1014, 1015, 1016, 1031, 1036, 1040, 1052, 1111, 1160, 1161, 1162, 1167, 1168, 1172, 1256, 1259, 1261
Stanley, Sir Edward, ix. 996
Stanley, Mr. John, x. 1035, 1140
—xi. 652
Stephenson, Mr., ix. 682, 684, 1190, 1278
—x. 204, 539, 567, 626, 657
—xii. 470
—xiii. 319, 473
Stewart, Sir Michael Shaw, xiii. 748, 752, 753
Stewart, Mr. Patrick M., x. 1257
—xii. 549
—xiii. 339, 754, 1064
Stewart, Mr. Charles, xi. 239, 659
Stormont, Lord, ix. 1090, 1197, 1278
—xii. 542, 543, 544, 964, 1089, 1144
Stuart, Lord Patrick, x. 1128
—xi. 73, 231, 239
Stuart, Lord Dudley, x. 1149

—xiii. 381, 382, 383, 542, 555

Strickland, Mr., ix. 100, 125, 215, 256, 588, 709, 781, 821, 978, 1004, 1093, 1187, 1191, 1275, 1276
—x. 22, 62, 97, 190, 192, 268, 401, 664, 688, 894, 1155, 1225
—xi. 72, 266, 397, 951, 1014
—xii. 80, 84, 209
—xiii. 50, 261, 509, 843, 922, 926, 1055

Strutt, Mr., xii. 788
—xiii. 300, 643

Sugden, Sir Edward, ix. 337, 352, 589, 712, 809, 819, 947, 979, 1094, 1125, 1126, 1127, 1258
—x. 43, 47, 51, 79, 80, 81, 82, 96, 97, 98, 232, 233, 235, 236, 398, 399, 400, 421, 426, 428, 431, 432, 436, 540, 541, 543, 634, 655, 665, 922, 1077, 1206, 1216, 1217
—xi. 64, 226, 232, 409, 412, 689, 698, 1072
—xii. 466, 932, 985, 988
—xiii. 258, 261, 383, 410, 412, 433, 434, 435, 741, 909, 920, 958, 967, 1067

Tennyson, Mr., x. 1330
—xi. 406, 411
—xii. 970, 1275, 1277
—xiii. 969

Thicknesse, Mr., xiii. 542

Thompson, Mr. Alderman, ix. 299
—x. 384, 583, 898, 908
—xi. 33, 240, 910, 929, 1178
—xii. 197, 555, 782, 906, 979
—xiii. 758, 1175

Thomson, Mr. Poulett, ix. 254, 256, 298, 309, 1058, 1304, 1347
—x. 266, 324, 325, 342, 390, 532, 534, 692, 1010, 1025, 1116, 1232, 1246, 1251
—xi. 297, 849, 1258
—xii. 1336
—xiii. 754, 756, 760

Torrens, Colonel, ix. 103, 254, 1072, 1097
—x. 21, 496, 505, 508, 661
—xi. 504, 1244, 1367, 1375
—xii. 307, 1032, 1356
—xiii. 448

Traill, Mr., xiii. 1065

Trench, Colonel, ix. 1191
—x. 65, 333, 336, 342, 483, 484, (subsequently, Trench, Sir Frederick) 836, 969, 1218
—xi. 902, 955, 970
—xii. 309, 466, 469, 569
—xiii. 262, 1166

Trevor, Mr., ix. 90, 103, 104, 977, 1113, 1190, 1222, 1280, 1281
—x. 58, 64, 664, 718, 1118, 1121, 1204, 1267
—xi. 32, 492, 955
—xii. 304, 307, 734, 756, 757, 897, 1090
—xiii. 259

Troubridge, Sir Thomas, x. 366

Tullamore, Lord, xii. 1414
—xiii. 209

Valletort, Lord, x. 720, 1069
—xi. 475

Venables, Mr. Alderman, ix. 139, 140, 141, 297, 300, 648, 702
—x. 222, 223, 471, 472, 580
—xii. 537, 894, 974
—xiii. 386, 918

Vernon, Mr. Granville, ix. 1240, 1241, 1253
—x. 532

Vincent, Sir Francis, ix. 41, 939
—xii. 660

Vyvyan, Sir Richard, ix. 153, 192, 222, 224, 254, 304, 315, 337, 426, 591, 664, 744, 745, 746, 757, 1073, 1091, 1099, 1104, 1268, 1272, 1274, 1282
—x. 89, 96, 211, 245, 246, 247, 342, 635, 636, 693, 717, 1038, 1063, 1068, 1140, 1226, 1230
—xi. 129, 134, 237, 545, 882, 920
—xii. 1081, 1360, 1361, 1363
—xiii. 299, 307, 308, 382, 383, 1076

Waithman, Mr. Alderman, ix. 154, 155, 648, 1198, 1199, 1200, 1221
—x. 92, 195, 223, 331, 527, 582, 624, 703, 1065, 1086
—xi. 295, 296, 297, 1265
—xii. 782, 943, 984, 987, 1331

Walker, Mr., ix. 792
—x. 311, 598, 1061
—xi. 1151
—xii. 1426
—xiii. 1263

Wall, Mr. Baring, ix. 475
—xiii. 967

Wallace, Mr. x. 323, 570, 578, 1349, 1351
—xi. 134, 970, 978, 1235

Walsh, Sir John, ix. 1012, 1014

Warburton, Mr., ix. 146, 149, 255, 300, 307, 308, 315, 326, 328, 330, 571, 572, 578, 584, 591, 694, 702, 781, 828, 1043, 1046, 1047, 1111, 1238, 1256, 1257, 1276, 1278, 1279
—x. 267, 325, 334, 339, 341, 385, 389, 390, 391, 392, 439, 509, 524, 535, 558, 559, 624, 836, 838, 1244, 1262
—xi. 296, 849, 928, 945, 967, 1277, 1280
—xii. 194, 310, 311, 312, 314, 315, 316, 317, 318, 319, 321, 322, 468, 485, 488, 494, 544, 664, 667, 668, 756, 890, 894, 903, 1038, 1355
—xiii. 95, 641, 760, 925, 931, 936, 967, 1110, 1175

Warre, Mr., xi. 239

Warrender, Sir George, ix. 145, 191, 563, 619, 634, 723, 1194
—xii. 654, 1186
—xiii. 301, 338, 394, 396, 463, 494, 549, 717, 1069, 1135, 1179, 1240, 1241, 1242

Wason, Mr. Rigby, ix. 1240, 1267
—x. 60, 79, 80, 394, 395, 396, 714, 832, 834, 912, 1130
—xi. 664, 698, 709
—xii. 310, 314, 315, 319, 666, 897, 903, 1413

—xiii. 1252, 1255
Wellesley, Mr. L. P., ix. 218, 222
  —x. 714
  —xi. 1375
  —xii. 589, 978
Welsh, Sir John, xiii. 390
Western, Mr., ix. 216, 221
  —x. 62, 691
  —xiii. 305
Wetherell, Sir Charles, ix. 57, 125, 196, 224, 340, 501, 562, 563, 666, 691, 746, 748, 756, 758, 762, 809, 813, 814, 818, 820, 1019, 1028, 1030, 1046, 1102, 1104, 1106, 1110, 1195, 1203, 1218, 1337
  —x. 48, 50, 58, 65, 66, 76, 77, 80, 86, 96, 97, 174, 205, 218, 222, 223, 239, 240, 306, 331, 396, 397, 399, 426, 427, 430, 431, 433, 538, 565, 609, 623, 664, 701, 911, 913, 977, 1086, 1119, 1120, 1121, 1122, 1152, 1205, 1218, 1235, 1244, 1267
  —xi. 58, 85, 86, 87, 219, 221, 231, 410, 561, 568, 901, 922, 1064, 1239, 1367, 1392
  —xii. 311, 857, 864, 1154, 1162
  —xiii. 66, 248, 315, 316, 383, 467, 498, 538, 638, 820, 914, 924, 927, 928, 1066, 1078, 1115, 1159, 1162
Weyland, Mr. John, ix. 93, 255, 593, 711, 713, 728, 765, 767, 817, 902, 1007, 1098, 1233
  —x. 67, 69, 838, 1323
  —xi. 286, 946
  —xii. 313, 317, 756, 1412, 1413
  —xiii. 197, 262, 399
Whitmore, Mr., ix. 1081
  —x. 505
  —xii. 1329, 1362
  —xiii. 302
Wilbraham, Mr., ix. 992
  —x. 1027
  —xi. 395, 428
Wilde, Mr. Serjeant, ix. 816
  —x. 426
  —xiii. 95
Wilks, Mr., ix. 156, 759, 761, 822
  —x. 688, 1063
  —xi. 33, 242, 293, 410, 851
  —xii. 194, 476, 483
  —xiii. 975
Williams, Mr. John, xii. 1160
  —xiii. 683
Williamson, Sir Hedworth, x. 1131
  —xii. 304
Willoughby, Sir Henry, ix. 458
  —x. 704, 706, 909, 1098
  —xi. 267
  —xiii. 1073
Wood, Mr. John, ix. 145, 146, 327, 1190
  —x. 105, 191, 197, 230, 441, 543, 664
  —xi. 204
  —xii. 734, 876, 1041
  —xiii. 301, 1242
Wood, Colonel, ix. 493, 1011, 1105, 1106, 1107, 1126, 1242
  —x. 84, 89, 94, 96, 228, 239, 241, 243, 388, 401, 540, 541, 1124
  —xi. 206, 207, 232
Wood, Mr. Alderman, ix. 706
  —x. 80, 258, 583
  —xi. 34, 205, 242, 1112, 1276
  —xii. 312, 489, 537, 782, 893, 905
  —xiii. 395, 396, 1250
Wortley, Mr. Stuart, ix. 198, 205, 445, 698, 821, 1009, 1025, 1102, 1244
  —x. 46, 47, 51, 78, 271, 1156, 1266
  —xi. 81, 413
  —xiii. 339, 397, 822, 1065
Wrangham, Mr., ix. 821
  —x. 140, 667, 1155
  —xi. 82
  —xii. 471, 476, 880
  —xiii. 475, 968, 978, 1068
Wrightson, Mr., x. 1319
Wrottesley, Sir John, ix. 1223
  —x. 335, 544
  —xi. 46, 53, 54, 57
  —xii. 1037
Wynn, Mr. Charles Williams, ix. 696, 819, 951, 1005, 1109, 1110, 1127, 1198, 1208, 1235, 1238
  —x. 429, 430, 437, 479, 500, 717, 720, 1078
  —xi. 223, 234, 1039, 1041
  —xii. 742, 976
  —xiii. 200, 317, 319, 387, 473, 512, 533, 560, 922, 931, 1066, 1079
Wyse, Mr., ix. 787
  —x. 263, 264, 414, 1114, 1189
  —xi. 975, 1006, 1116, 1141, 1183, 1273, 1367, 1392, 1393, 1396
  —xii. 81, 83
  —xiii. 262, 276, 568, 587, 608, 843, 1144

Yorke, Captain, ix. 810
  —x. 284, 374, 380, 381, 477
  —xi. 340, 1362
Young, Mr., x. 23
  —xi. 1014

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